

EXHIBIT 1

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September 20 2017 9:34 AM

KEVIN STICK
COUNTY CLERK
NO: 17-2-1422-2

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR PIERCE COUNTY**

STATE OF WASHINGTON,

NO.

Plaintiff,

COMPLAINT

v.

THE GEO GROUP, INC.,

Defendant.

I. INTRODUCTION

1.1 The State of Washington files this action against Defendant The GEO Group, Inc. ("Defendant" or "GEO") to enforce Washington's minimum wage laws and to remedy the unjust enrichment that results from Defendant's long standing failure to adequately pay immigration detainees for their work at the privately owned and operated Northwest Detention Center ("NWDC").

1.2 The enforcement of minimum wage laws is of vital and imminent concern to the people of Washington as the minimum wage laws protect Washington workers and create employment opportunities.

1.3 Each year Washington sets an hourly minimum wage, and employees protected by Washington's minimum wage laws must be paid at least the set hourly minimum wage.

COMPLAINT

1

ATTORNEY GENERAL OF WASHINGTON
Civil Rights Unit
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 442-4492

1.4 Defendant pays detainees \$1 per day for work they perform at NWDC. This is a violation of Washington's minimum wage laws, and the practice of paying detainee workers \$1 per day has unjustly enriched Defendant.

PLAINTIFF, the State of Washington, for its causes of action against Defendant GEO, alleges as follows:

II. JURISDICTION AND VENUE

2.1 The Attorney General is authorized to commence this action pursuant to RCW 43.10.030(1).

2.2 Subject matter jurisdiction is proper in this Court pursuant to RCW 2.08.010, RCW 7.24.010, and RCW 7.24.020 because this is an action alleging state law violations and seeking declaratory and injunctive relief.

2.3 Jurisdiction and venue are proper in this Court pursuant to RCW 4.12.020 and RCW 4.12.025 because work performed by detainees occurs at NWDC, which is located in Pierce County, and because this matter arises from Defendant's business practices and transactions at NWDC.

III. PARTIES

PLAINTIFF STATE OF WASHINGTON

3.1 The Attorney General is the chief legal adviser to the State of Washington. The Attorney General's powers and duties include bringing enforcement actions to ensure compliance with Washington laws.

3.2 The Washington State Department of Labor and Industries is a state agency dedicated to the safety, health, and security of Washington's 2.5 million workers. The Department of Labor and Industries enacts rules and operates enforcement programs that help ensure compliance with the State's wage laws.

3.3 Washington has a quasi-sovereign interest in protecting the health, safety, and well-being of its residents which includes protecting its residents from harms to their own and Washington's economic health.

3.4 Washington's interest in preventing and remedying injuries to the public's health, safety, and well-being extends to all of Washington's residents, including individuals who suffer indirect injuries and members of the general public.

3.5 The enforcement of minimum wage laws is of preeminent concern to the people of Washington. The Legislature enacted minimum wage laws to protect Washington workers and safeguard "the immediate and future health, safety and welfare of the people of the state." RCW 49.46.005(1).

3.6 Washington set the below minimum wages for 2005-2017:

January 1, 2017	\$11.00	January 1, 2010	\$8.55
January 1, 2016	\$9.47	January 1, 2009	\$8.55
January 1, 2015	\$9.47	January 1, 2008	\$8.07
January 1, 2014	\$9.32	January 1, 2007	\$7.93
January 1, 2013	\$9.19	January 1, 2006	\$7.63
January 1, 2012	\$9.04	January 1, 2005	\$7.35
January 1, 2011	\$8.67		

See <http://www.lni.wa.gov/WorkplaceRights/Wages/Minimum/History/default.asp> (last visited September 18, 2017).

DEFENDANT

3.7 Defendant GEO is a for-profit business operating in Washington.

3.8 Since 2005, Defendant GEO has owned and operated NWDC, which is located at 1623 E. J Street, Tacoma, Washington.

3.9 NWDC is a private immigration detention center that has the capacity to house approximately 1,575 individuals.

1 **3.10** Defendant GEO contracts with U.S. Immigration and Customs Enforcement
 2 ("ICE") for the detention of adult civil detainees, who are awaiting resolution of their immigration
 3 matters. GEO has contracted with ICE to provide this service at NWDC since 2005.

4 **3.11** GEO's contract with ICE requires GEO to comply with state and local laws and
 5 codes when it operates NWDC.

6 **IV. ALLEGATIONS**

7 **4.1** Defendant relies upon detainee labor to operate NWDC.

8 **4.2** Detainees perform a wide range of work at NWDC including preparing, cooking,
 9 and serving food to the detainee population; operating NWDC's laundry service; cleaning living
 10 areas and bathrooms; and regularly painting walls and buffing floors.

11 **4.3** ICE's 2011 Performance Based National Detention Standards require Defendant
 12 to pay detainees at least \$1 per day for their labor.

13 **4.4** For most work detainees perform at NWDC, Defendant pays detainees \$1 per day
 14 for their labor regardless of the number of hours worked.

15 **4.5** For some work detainees perform at NWDC, Defendants do not pay detainees \$1
 16 per day, and instead "pay" detainees in snack food such as chicken, potato chips, soda, and/or
 17 candy.

18 **4.6** Detainees are "employees" protected by Washington's minimum wage laws.

19 **4.7** Defendant is an "employer" for purposes of Washington's minimum wage laws.

20 **4.8** Defendant does not pay detainee workers the state minimum wage for work they
 21 perform at NWDC.

22 **4.9** Since 2005, GEO receives and has received the benefit of having necessary
 23 work done at NWDC without bearing the financial burden of paying the minimum wage to
 24 those who perform such work.

V. FIRST CAUSE OF ACTION

(Violation of Washington's Minimum Wage Law)

5.1 Plaintiff realleges and incorporates by reference herein all the allegations of paragraphs 1.1 through 4.9.

5.2 RCW 49.46.020 requires every employer to pay the hourly minimum wage "to each of his or her employees" who is covered by Washington's minimum wage laws.

5.3 Detainees work for Defendant and perform many of the functions necessary to keep NWDC operational including preparing and serving food to detainees, cleaning common areas, and operating the laundry.

5.4 Defendant pays detainees \$1 per day for work performed at NWDC.

5.5 The current hourly minimum wage in Washington is \$11.00 per hour.

5.6 Defendant violates RCW 49.46.020 when it pays detainees who work at NWDC \$1 per day instead of the hourly minimum wage.

VI. SECOND CAUSE OF ACTION

(Unjust Enrichment)

6.1 Plaintiff realleges and incorporates by reference herein all the allegations of paragraphs 1.1 through 5.6.

6.2 Defendant operates NWDC as a for-profit business.

6.3 Defendant utilizes detainee labor to operate NWDC.

6.4 Defendant does not pay adequate compensation to detainees for their work.

6.5 Defendant benefits by retaining the difference between the \$1 per day that it pays detainees and the fair wage that it should pay for work performed at NWDC.

6.6 It is unjust for the Defendant to retain the benefit gained from its practice of failing to pay adequate compensation to detainees for the work they perform at NWDC.

VII. PRAYER FOR RELIEF

Wherefore, the State of Washington prays that the Court:

7.1 Declare that detainees who work at NWDC are "employees" as defined by RCW 49.46.010(3);

7.2 Declare that Defendant is an "employer" of detainee workers at NWDC as defined by RCW 49.46.010(4);

7.3 Declare that Defendant must comply with RCW 49.46.020 for work performed by detainees at NWDC;

7.4 Enjoin Defendant from paying detainees less than the minimum wage for work performed at NWDC;

7.5 Find and declare that Defendant has been unjustly enriched by its practice of failing to adequately pay detainee workers for their labor at NWDC;

7.6 Order Defendant to disgorge the amount by which it has been unjustly enriched;

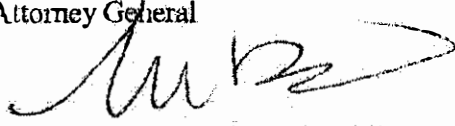
7.7 An award of reasonable attorneys' fees and costs that the State incurs in connection with this action; and

7.8 Award such additional relief as the interests of justice may require.

DATED this 20th day of September 2017

ROBERT W. FERGUSON

Attorney General


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SEP 20 2017

EXHIBIT 2

The Honorable _____

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STATE OF WASHINGTON,

Plaintiff,

v.

THE GEO GROUP, INC.

Defendant.

(SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR PIERCE COUNTY,
CAUSE NO. 17-2-11422-2)

Case No: _____

**DECLARATION OF JOAN K. MELL ON
NOTICE OF REMOVAL**

I, JOAN K. MELL, make the following statement under oath subject to penalty of perjury pursuant to the laws of the United States and the State of Washington:

1.1 I represent The GEO Group, Inc. in the above captioned case. I am over the age of eighteen and am competent to testify in these proceedings. My statement is based upon my personal knowledge and familiarity with the records and files in these proceedings.

1.2 GEO has filed a Notice of Removal attaching true and correct copies of the following documents to its Notice of Removal:

Exhibit 1: Complaint.

Exhibit 2: My declaration excerpting the pertinent provisions from GEO's contract with Immigration and Custom's Enforcement ("ICE"), as set forth in detail below.

MELL DECLARATION ON REMOVAL NOTICE
ECF CASE NO. _____

III BRANCHES LAW, PLLC
Joan K. Mell
1019 Regents Blvd. Ste. 204
Fircrest, WA 98466
253-566-2510 ph
joan@3brancheslaw.com

Exhibit 3: ICE's 2011/16 Performance-Based Nation Detention Standards (PBNDs) (Section 5.8 on the Voluntary Work Program).

Exhibit 4: Excerpts from the ICE National Detainee Handbook on the Voluntary Work Program.

Exhibit 5: Northwest Detention Facility Handbook.

Exhibit 6: ICE's PBNDs 2011/16 (Section 1.2 on Environmental Health and Safety).

Exhibit 7: Press Release from Washington Attorney General, *AG Ferguson sues operator of the Northwest Detention Center for wage violations* (published September 20, 2017).

Exhibit 8: AG Bob Ferguson Campaign Materials and Office Publication:
9/20/2017 "Join Me For An Evening Reception In Tacoma
9/28/2017 "Check It Out Bob Ferguson T-Shirts."
10/02/2017 "The Ferguson File September 2017."

1.3 The ICE/GEO contract (number HSCEDM-15-D-00015) for the Northwest Detention Center ("NWDC"), in Tacoma contains the following language that is excerpted here in true and correct form:

At Page 5:

"Detainee Volunteer Wages for the Detainee Work Program. Reimbursement for this line item will be at the actual cost of \$1.00 per day per detainee. Contractor shall not exceed the amount shown without prior approval by the Contracting Officer."

At Page 44, Statement of Work:

The following constraints comprise the statutory, regulatory, policy and operational considerations that will impact the contractor. The contractor is expected to become familiar with all constraints affecting the work to be performed. These constraints may change over time; the contractor is expected to be knowledgeable of any changes to the constraints and perform in accordance with the most current version of the constraints. Constraints include, but are not limited to:

* * *

j) The ICE/DHS Performance Base Detention Standards- A copy is obtainable on the ICE Internet website

* * *

q) Applicable federal, state and local labor laws and codes

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* * *

In cases where other standards conflict with DHS/ICE policy or standards, DHS/ICE policy and standards prevail.

At Page 62, Statement of Work:

“Minimum Standards of Employee Conduct”

3. The employee may not interact with any detainee except in a relationship that supports the approved goals of the facility. Specifically, employees shall not receive nor accept any personal (tangible or intangible) gift, favor, or service, from any detainee, any detainee's family, or associate no matter how trivial the gift, favor, or service may seem, for themselves or any members of their family. In addition, the employee shall not give any gift, favor, or service to detainees, detainee's family, or associates.

At Page 63, Statement of Work:

“Minimum Personnel Qualification Standards”

The Contractor shall agree that each person employed by the firm or any subcontractor(s) shall have a social security card issued and approved by the Social Security Administration and shall be a United States citizen or a person lawfully admitted into the United States for permanent residence, have resided in the U.S. for the last five years (unless abroad on official U.S. government duty), possess a high school diploma or equivalent (GED), and obtain a favorable Suitability for Employment determination. Each employee of the Contractor and of any subcontractor(s) must complete and sign a Form 1-9, "Employment Eligibility Verification," before commencing work. The Contractor shall retain the original Form 1-9 and shall furnish the COR with a copy of the Form 1-9 before the employee commences work. The Contractor shall be responsible for acts and omissions of its employees and of any subcontractor(s) and their employees.

At Page 82, Statement of Work:

IX. MANAGE A DETAINEE WORK PROGRAM

Detainee labor shall be used in accordance with the detainee work plan developed by the Contractor, and will adhere to the ICE PBNDS on Voluntary Work Program. The detainee work plan must be voluntary, and may include work or program assignments for industrial, maintenance, custodial, service, or other jobs. The detainee work program shall not conflict with any other requirements of the contract and must comply with all applicable laws and regulations.

Detainees shall not be used to perform the responsibilities or duties of an employee of the

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1 Contractor. Detainees shall not be used to perform work in areas where sensitive
2 documents are maintained (designated ICE workspace). Custodial/janitorial services to be
3 performed in designated ICE work space will be the responsibility of the Contractor.

4 Appropriate safety/protective clothing and equipment shall be provided to detainee
5 workers. Detainees shall not be assigned work that is considered hazardous or dangerous.
6 This includes, but is not limited to, areas or assignments requiring great heights, extreme
7 temperatures, use of toxic substances, and unusual physical demands.

8 The Contractor shall supply sufficient officers to monitor and control detainee work
9 details. Unless
10 approved by the COR, these work details must be within the security perimeter.

11 It will be the sole responsibility of ICE to determine whether a detainee will be allowed
12 to perform on voluntary work details and at what classification level. All detainees shall
13 be searched when they are returned from work details.

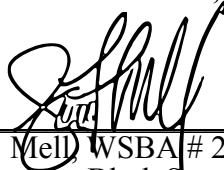
14 At Page 97, Statement of Work:

15 “The Contracting Officer (CO) is the only person authorized to approve changes in any of
16 the
17 requirements under this contract. Notwithstanding any clause contained elsewhere in this
18 contract, the said authority remains solely with the Contracting Officer.”

19 **1.4** The above information is true and correct to the best of my ability.
20
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1
2 Dated: October 9, 2017

III BRANCHES LAW, PLLC

3
4 By: 
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17 **ATTORNEYS FOR DEFENDANT THE**
18 **GEO GROUP, INC.**

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28 MELL DECLARATION REMOVAL NOTICE
ECF CASE NO. _____

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EXHIBIT 3



U.S. Immigration
and Customs
Enforcement

Report Crimes: Email or Call 1-866-DHS-2-ICE

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2011 Operations Manual ICE Performance-Based National Detention Standards

[ERO](#)[PBNDS 2011](#)[2016 Revisions](#)

SHARE



In keeping with its commitment to reform the immigration detention system, U.S. Immigration and Customs Enforcement (ICE) has revised its detention standards. These new standards, known as Performance-Based National Detention Standards 2011 (PBNDS 2011), represent an important step in detention reform.

PBNDS 2011 reflects ICE's ongoing effort to tailor the conditions of immigration detention to its unique purpose while maintaining a safe and secure detention environment for staff and detainees. In developing the revised standards, ICE incorporated the input of many agency employees and stakeholders, including the perspectives of nongovernmental organizations and ICE field offices. PBNDS 2011 is crafted to improve medical and mental health services, increase access to legal services and religious opportunities, improve communication with detainees with limited English proficiency, improve the process for reporting and responding to complaints, and increase recreation and visitation.

In 2016, ICE revised a number of the detention standards to ensure consistency with federal legal and regulatory requirements as well as prior ICE policies and policy statements. The detention standards contained on this website represent the updated version of the standards.

Click on a heading below to view specific information for each topic.

[Expand All](#) [Collapse All](#)

Part 1 - Safety



Part 2 - Security



Part 3 - Order



Part 4 - Care



Part 5 - Activities



Part 6 - Justice



Part 7 - Administration and Management



Related Information

[Detention Management](#)

[Detainee Facilities](#)

[View the complete PBNDS 2011](#)

[Family Residential Standards](#) ➔

[2008 PBNDS](#) ➔

[2000 Detention Standards](#) ➔

5.8 Voluntary Work Program

I. Purpose and Scope

This detention standard provides detainees opportunities to work and earn money while confined, subject to the number of work opportunities available and within the constraints of the safety, security and good order of the facility.

While not legally required to do so, ICE/ ERO affords working detainees basic Occupational Safety and Health Administration (OSHA) protections.

This detention standard applies to the following types of facilities housing ICE/ERO detainees:

- Service Processing Centers (SPCs);
- Contract Detention Facilities (CDFs); and
- State or local government facilities used by ERO through Intergovernmental Service Agreements (IGSAs) to hold detainees for more than 72 hours.

Procedures in italics are specifically required for SPCs, CDFs, and Dedicated IGSA facilities. Non-dedicated IGSA facilities must conform to these procedures or adopt, adapt or establish alternatives, provided they meet or exceed the intent represented by these procedures.

Various terms used in this standard may be defined in standard “7.5 Definitions.”

II. Expected Outcomes

The expected outcomes of this detention standard are as follows (specific requirements are defined in “V. Expected Practices”).

1. Detainees may have opportunities to work and earn money while confined, subject to the number of work opportunities available and within the constraints of the safety, security and

good order of the facility.

2. Detainees shall be able to volunteer for work assignments but otherwise shall not be required to work, except to do personal housekeeping.
3. Essential operations and services shall be enhanced through detainee productivity.
4. The negative impact of confinement shall be reduced through decreased idleness, improved morale and fewer disciplinary incidents.
5. Detainee working conditions shall comply with all applicable federal, state and local work safety laws and regulations.
6. There shall be no discrimination regarding voluntary work program access based on any detainee’s race, religion, national origin, gender, sexual orientation or disability.
7. The facility shall provide communication assistance to detainees with disabilities and detainees who are limited in their English proficiency (LEP). The facility will provide detainees with disabilities with effective communication, which may include the provision of auxiliary aids, such as readers, materials in Braille, audio recordings, telephone handset amplifiers, telephones compatible with hearing aids, telecommunications devices for deaf persons (TTYs), interpreters, and note-takers, as needed. The facility will also provide detainees who are LEP with language assistance, including bilingual staff or professional interpretation and translation services, to provide them with meaningful access to its programs and activities.

All written materials provided to detainees shall generally be translated into Spanish. Where practicable, provisions for written translation shall be made for other significant segments of the population with limited English proficiency.

Oral interpretation or assistance shall be provided to any detainee who speaks another language in which written material has not been translated or

who is illiterate.

III. Standards Affected

This detention standard replaces “Voluntary Work Program” dated 12/2/2008.

This detention standard incorporates the requirements regarding detainees’ assigned to work outside of a facility’s secure perimeter originally communicated via a memorandum to all Field Office Directors from the Acting Director of U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) (11/2/2004).

IV. References

American Correctional Association, *Performance-based Standards for Adult Local Detention Facilities*, 4th Edition: 4-ALDF-5C-06, 5C-08, 5C-11(M), 6B-02.

ICE/ERO *Performance-based National Detention Standards 2011*:

- “1.2 Environmental Health and Safety”; and
- “4.1 Food Service.”

V. Expected Practices

A. Voluntary Work Program

Detainees shall be provided the opportunity to participate in a voluntary work program. The detainee’s classification level shall determine the type of work assignment for which he/she is eligible. Generally, high custody detainees shall not be given work opportunities outside their housing units/living areas. Non-dedicated IGSA’s will have discretion on whether or not they will allow detainees to participate in the voluntary work program.

B. Work Outside the Secure Perimeter

ICE detainees may not work outside the secure

perimeter of non-dedicated IGSA facilities.

In SPCs, CDFs, and dedicated IGSA’s, low custody detainees may work outside the secure perimeter on facility grounds. They must be directly supervised at a ratio of no less than one staff member to four detainees. The detainees shall be within sight and sound of that staff member at all times.

C. Personal Housekeeping Required

Work assignments are voluntary; however, all detainees are responsible for personal housekeeping.

Detainees are required to maintain their immediate living areas in a neat and orderly manner by:

- 1. making their bunk beds daily;*
- 2. stacking loose papers;*
- 3. keeping the floor free of debris and dividers free of clutter; and*
- 4. refraining from hanging/draping clothing, pictures, keepsakes, or other objects from beds, overhead lighting fixtures or other furniture.*

D. Detainee Selection

The facility administrator shall develop site-specific rules for selecting work detail volunteers. These site-specific rules shall be recorded in a facility procedure that shall include a voluntary work program agreement. The voluntary work program agreement shall document the facility’s program and shall be in compliance with this detention standard.

The primary factors in hiring a detainee as a worker shall be his/her classification level and the specific requirements of the job.

- 1. Staff shall present the detainee’s name to the shift supervisor or the requesting department head.*
- 2. The shift supervisor or department head shall review the detainee’s classification and other relevant documents in the detainee’s detention file.*
- 3. The shift supervisor or department head shall*

assess the detainee's language skills because these skills affect the detainee's ability to perform the specific requirements of the job under supervision. To the extent possible, work opportunities shall be provided to detainees who are able to communicate with supervising staff effectively and in a manner that does not compromise safety and security.

4. *Inquiries to staff about the detainee's attitude and behavior may be used as a factor in the supervisor's selection.*

Staff shall explain the rules and regulations as well as privileges relating to the detainee worker's status. The detainee shall be required to sign a voluntary work program agreement before commencing each new assignment. Completed agreements shall be filed in the detainee's detention file.

E. Special Details

Detainees may volunteer for temporary work details that occasionally arise. The work, which generally lasts from several hours to several days, may involve labor-intensive work.

F. Discrimination in Hiring Prohibited

Detainees shall not be denied voluntary work opportunities on the basis of such factors as a detainee's race, religion, national origin, gender, sexual orientation or disability.

G. Detainees with Disabilities

The facility shall allow, where possible, detainees with disabilities to participate in the voluntary work program in appropriate work assignments. Consistent with the procedures outlined in Standard 4.8 "Disability Identification, Assessment, and Accommodation," the facility shall provide reasonable accommodations and modifications to its policies, practices, and/or procedures to ensure that detainees with disabilities have an equal opportunity to access, participate in, and benefit from the voluntary work programs.

H. Hours of Work

Detainees who participate in the volunteer work program are required to work according to a schedule.

The normal scheduled workday for a detainee employed full time is a maximum of 8 hours. Detainees shall not be permitted to work in excess of 8 hours daily, 40 hours weekly.

Unexcused absences from work or unsatisfactory work performance may result in removal from the voluntary work program.

I. Number of Details in One Day

The facility administrator may restrict the number of work details permitted a detainee during one day.

In SPCs, CDFs, and dedicated IGSAAs a detainee may participate in only one work detail per day.

J. Establishing Detainee Classification Level

If the facility cannot establish the classification level in which the detainee belongs, the detainee shall be ineligible for the voluntary work program.

K. Compensation

Detainees shall receive monetary compensation for work completed in accordance with the facility's standard policy.

The compensation is at least \$1.00 (USD) per day. The facility shall have an established system that ensures detainees receive the pay owed them before being transferred or released.

L. Removal of Detainee from Work Detail

A detainee may be removed from a work detail for such causes as:

1. unsatisfactory performance;
2. disruptive behavior, threats to security, etc.;
3. physical inability to perform the essential

elements of the job due to a medical condition or lack of strength;

4. prevention of injuries to the detainee; and/or
5. a removal sanction imposed by the Institution Disciplinary Panel for an infraction of a facility rule, regulation or policy.

When a detainee is removed from a work detail, the facility administrator shall place written documentation of the circumstances and reasons in the detainee detention file.

Detainees may file a grievance to the local Field Office Director or facility administrator if they believe they were unfairly removed from work, in accordance with standard “6.2 Grievance System.”

M. Detainee Responsibility

The facility administrator shall establish procedures for informing detainee volunteers about on-the-job responsibilities and reporting procedures.

The detainee is expected to be ready to report for work at the required time and may not leave an assignment without permission.

1. The detainee shall perform all assigned tasks diligently and conscientiously.
2. The detainee may not evade attendance and performance standards in assigned activities nor encourage others to do so.
3. The detainee shall exercise care in performing assigned work, using safety equipment and taking other precautions in accordance with the work supervisor’s instructions.
4. In the event of a work-related injury, the detainee shall notify the work supervisor, who shall immediately implement injury-response procedures.

N. Detainee Training and Safety

All detention facilities shall comply with all applicable health and safety regulations and

standards.

The facility administrator shall ensure that all department heads, in collaboration with the facility’s safety/training officer, develop and institute appropriate training for all detainee workers.

1. The voluntary work program shall operate in compliance with the following codes and regulations:
 - a. Occupational Safety and Health Administration (OSHA) regulations;
 - b. National Fire Protection Association 101 Life Safety Code; and
 - c. International Council Codes (ICC).

Each facility administrator’s designee is responsible for providing access to complete and current versions of the documents listed above.

The facility administrator shall ensure that the facility operates in compliance with all applicable standards.

2. Upon a detainee’s assignment to a job or detail, the supervisor shall provide thorough instructions regarding safe work methods and, if relevant, hazardous materials, including:
 - a. safety features and practices demonstrated by the supervisor; and
 - b. recognition of hazards in the workplace, including the purpose for protective devices and clothing provided, reporting deficiencies to their supervisors (staff and detainees who do not read nor understand English shall not be authorized to work with hazardous materials).

A detainee shall not undertake any assignment before signing a voluntary work program agreement that, among other things, confirms that the detainee has received and understood training from the supervisor about the work assignment.

The voluntary work program agreement, which each detainee is required to sign prior to commencing each new assignment, shall be placed in the detainee's detention file.

3. For a food service assignment, medical staff, in conjunction with the U.S. Public Health Service, shall ensure that detainees are medically screened and certified before undertaking the assignment.
4. The facility shall provide detainees with safety equipment that meets OSHA and other standards associated with the task performed.
5. The facility administrator shall ensure that the facility operates in compliance with all applicable standards.

O. Detainee Injury and Reporting Procedures

The facility administrator shall implement

procedures for immediately and appropriately responding to on-the-job injuries, including immediate notification of ICE/ERO.

If a detainee is injured while performing his/her work assignment:

1. The work supervisor shall immediately notify facility medical staff. In the event the accident occurs in a facility that does not provide 24-hour medical care, the supervisor shall contact the on-call medical officer for instructions.
2. First aid shall be administered as necessary.
3. Medical staff shall determine what treatment is necessary and where that treatment shall take place.
4. The work supervisor shall complete a detainee accident report and submit it to the facility administrator for review and processing and file it in the detainee's detention file and A-file.

EXHIBIT 4



Enforcement and Removal Operations

National Detainee Handbook

Custody Management

April 2016



U.S. Immigration
and Customs
Enforcement

ICE detainees may usually:

- Take part in their religious practices;
- Wear approved religious headwear and garments; and
- Have other approved religious property.

The facility cannot limit these unless there is a specific documented threat to persons involved in these practices or activities.

IMPORTANT! You must ask the facility for approval of any hard-covered religious book. Unless you get approval, all religious books must be soft-covered.

COMMISSARY OR VENDING MACHINES

Your facility may have a store, called a commissary, or vending machines. If your facility has this service, you do not have to buy anything if you do not want to. If you want to use the store, check your local rules first. Detainees do not have a right to use the store.

Do I have to buy basic toiletries from the commissary?

No. Your facility must give you basic toiletries and hygiene products, such as soap, shampoo, sanitary pads, and toothpaste.

What if I bought some items, but I got transferred or removed before they were delivered?

The facility does not have to send you the items or give you a refund if you are transferred or deported. But the facility may give you a refund before you leave. See your facility's local rules.

VOLUNTARY WORK PROGRAM

If your facility has a volunteer work program, you may be able to volunteer to work. However, many facilities do not allow ICE detainees to participate in their work programs.

Will I get paid for my work?

If you participate in the voluntary work program at your facility, you will get at least \$1 for each day you work, not for each assignment. You will get paid at the end of every day you work, unless your facility has a different way of paying detainees. For example, some facilities will pay everything that you are owed before you are transferred or released. Check your facility's local rules.

How often will I get paid?

Most facilities pay detainees every day. Your facility may use another system where you get paid before you are transferred or released.

How many hours can I work?

You cannot work more than eight hours per day or 40 hours a week.

What are the requirements for the work program?

To take part in this program, you must:

- Sign a voluntary work program statement;
- Complete any work-related training;
- Follow all dress, grooming, and hairstyle requirements for your work assignment;
- Work the schedule assigned to you; and
- Do your assigned work satisfactorily.



Can I be fired from the Voluntary Work Program?

Yes, you can be taken out of this program if you miss work without permission, or you do not do your work satisfactorily.

Will I get paid for keeping my living area clean?

No. You must keep areas that you use clean, including your living area and any general-use areas that you use. If you do not keep your areas clean, you may be disciplined. It is up to you to know the rules for the work program. Also see your facility's local rules.

LIBRARY

Most facilities have library materials similar to what you would find at a school or community library. The facility considers the detainees' needs, interests and abilities when deciding on its materials.

Can I go to the library at any time?

No. See your facility's local rules for library use. Each facility's library has a schedule for using and checking out materials. Please give other detainees a chance to read library materials. Make sure that you take care of the materials you check out and return them on time.

ATTENDING OTHER COURT HEARINGS (NON-IMMIGRATION)

Can I attend a court hearing that has been scheduled for me in another case (i.e., not related to my immigration case)?

If you have a court hearing scheduled for you in another case (for example, if you are currently involved in a criminal proceeding or child custody case), ask your ICE officer about how you might be able to take part in your hearing. In some cases, ICE may be able to escort you to the court hearing or arrange for your participation through a video conferencing system.

REQUESTS TO MARRY

If you want to get married while you are at the facility, you (or your lawyer) must send a written request to the housing area officer or ICE officer, who will give it to the facility administrator or the ICE field office director.

Your written request must confirm that:

- You meet the legal requirements to marry;
- You are mentally competent to marry; and
- Your future spouse will certify they will marry you.

EXHIBIT 5



Northwest Detention Center

Detainee Handbook

REVIEWED/REVISED

Ben Kuhl AUFA
Warden

DATE:

8-1-16

William Penabaz
ICE Assistant Field Office Director

DATE:

8-1-16

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INTRODUCTION/ MISSION

The Northwest Detention Center (NWDC) in Tacoma, Washington, is privately operated by THE GEO GROUP INC. under contract with the United States Department of Homeland Security, Immigration Customs Enforcement (ICE). The mission of the NWDC is to provide conditions that are safe, secure and sanitary for detainees waiting processing for an administrative hearing or removal.

PURPOSE

The purpose of this handbook is to explain to detainees the specific rules, regulations, policies and procedures that must be followed while at this facility. The handbook will also help to provide you with a general overview of the programs, rules and regulations and services of the facility. You will be held accountable for your actions while at this facility. Therefore, it is each detainee's responsibility to become familiar with the contents of this handbook. Interpretive services to assist in essential communications will be made available, by request through your housing unit officer, or when there is a clear need for such services." Monitor monthly until updates are made..

A copy of this handbook will be issued to each detainee at intake and available upon request. All detainees are required to acknowledge, by signature, receipt of this handbook.

MAILING ADDRESS and A-NUMBER

Your address is: **Your Full Name, Your "A" Number**
 1623 East J Street, Suite 5
 Tacoma, WA 98421

It is imperative that you notify your family, friends, or anyone who might visit, provide you money or want to leave a telephone message, of your "Name and A-Number". GEO staff are not responsible for any form of miscommunication resulting from an incomplete detainee's name or an inaccurate A-number.

BASIC DETAINEE RESPONSIBILITIES

It is the policy of the Northwest Detention Center (NWDC) and Immigration Customs Enforcement (ICE) to treat detainees with dignity and respect while maintaining a safe, humane, secure and sanitary detention facility. It is expected that staff will receive your full cooperation while your case is being processed. In the simplest terms, you are expected to:

1. Follow and obey rules, laws, policies and procedures.
2. Obey **all** orders given by staff members.
3. Wear your wristbands at all times.
4. Respect staff and other detainees at all times.
5. Respect facility property and the property of others.
6. Keep yourself, your clothing and living area clean at all times.
7. Obey **all** safety, security and sanitation rules, policies and procedures. **Walk;** do not run throughout the facility.
8. You are responsible to ensure your property, bunk, and or cell is clear of contraband at all times.
9. Loitering on the upper tier or leaning on the upper tier rail is prohibited.
10. Facility property may not be used for Arts and Crafts; only items purchased through commissary specifically for Arts and Crafts may be used.

If you observe and comply with the above guidelines, you should have no problem living at this facility while awaiting the outcome of your hearing.

When addressing staff, you should not refer to them by first name or by a nickname. Refer to uniformed staff by their rank and last name (i.e. Officer Jones, Capt. Smith). Refer to non-uniformed staff by title and last name (i.e. Nurse Brown, Dr. Ribas) or by Mr., Mrs., and Ms., followed by their last name. Staff members will address you in the same manner if they know your name. It is not reasonable to expect an officer to know the names of all detainees in the facility. However, the officer or staff member will address you in an appropriate manner.

STAFF – DETAINEE COMMUNICATIONS

During intake / orientation you will be told of your right to correspond / communicate with ICE regarding your case and/or conditions of confinement. All correspondence with ICE staff will be handled as Special Communications (see page 21 of this Handbook). You also have the right to send an electronic “Detainee Request Form” (kite) to any ICE, or GEO staff. Please submit the kite on the Smart Jail Mail system- ICE and GEO staff will normally respond to your kite in writing within 72 hours. Additionally, ICE and GEO staff makes announced and unannounced visits to the housing units each week. The ICE schedule for visiting the housing units is posted on every bulletin board along with the list of deportation staff and the cases they are assigned by detainee A-number. ICE visits weekly on Wednesday or Thursday from 09:00 A.M. – 4:00 P.M. and can be reached at 253-779-6000. Should you have any questions, please ask the housing unit officer. You may request procedural help from another detainee, unit officer or other facility staff and may choose to seal the request in an envelope clearly addressed with name, title and/or office to which the request is to be forwarded.

INAPPROPRIATE RELATIONSHIPS with STAFF and/or Detainees

Detainees should be aware of how to handle situations in which they perceive themselves to be the object of sexual advances or other inappropriate behavior by staff or detainees. Any type of sexual advances by any staff or detainees directed toward any detainee is a strict violation of policy. Similarly, it is a violation of the rules for detainees to direct advances towards officers or other staff. Officers or staff may not solicit detainees in any way for any type of sexual favors. The same applies for detainees. This includes any conversations that might lead to sexual involvement.

Should any detainee find him /herself being pressured for either sexual favors or some other violation of a facility rule, the detainee should refuse to do the illegal act and either:

- File a formal grievance
- Request to see the Shift Supervisor or complete an paper Detainee Request Form marked “Emergency” to the
 1. Major
 2. Captain
 3. Associate Warden
 4. Warden, or
 5. ICE Assistant Field Office Director (AFOD)
- Contact any staff member you feel comfortable with to let that person know and request help
- Write a family member and urge them to call the Warden and/or ICE AFOD.

DETAINEE PROTECTION

The Warden and staff of the NWDC strive to maintain the safety and security of all detainees. However, in some situations, measures must be taken to achieve a greater degree of protection for certain detainees.

If another detainee is pressuring you for money, property, or sexual favors, the detainee should immediately contact a Detention Officer, Shift Supervisor, Major, Captain, Associate Warden, Warden, ICE AFOD, or any staff member with whom you feel comfortable. It is imperative that one of these individuals be contacted immediately so that they can help by moving the detainee from a potentially serious situation.

SEXUAL ASSAULTS

The NWDC maintains a zero-tolerance policy for all forms of sexual abuse or assault. It is the policy of the NWDC to provide a safe and secure environment for all detainees, employees, contractors, and volunteers, free from the threat of sexual abuse or assault, by maintaining a Sexual Abuse and Assault Prevention and Intervention Program that ensures effective procedures for preventing, detecting, reporting, responding to, investigating, and tracking incidents or allegations of sexual abuse or assault.

Sexual assault or abuse of detainees by other detainees or by employees, contractors, or volunteers is prohibited and subject to administrative, disciplinary, and criminal sanctions.

A. Victims

If you are the victim of a sexual assault, it is imperative that you immediately contact a Detention Officer, Shift Supervisor, Major, Captain, Associate Warden, Warden, ICE AFOD, or any staff member with whom you feel comfortable. Do not bathe, shower, change your clothes, or brush your teeth. It is important that evidence be collected to assist in your attacker's prosecution. Physical evidence is important because law enforcement relies heavily on the information.

The person you contact will immediately take you to a safe place. You will be examined by qualified medical personnel and will receive treatment for any injuries while evidence is gathered. At your request, a representative for you will be present during the examination to counsel you and provide any other support you may need (Psychologist, etc.).

A variety of steps may be taken, based on your individual circumstances, to ensure your safety to include relocating you to safe housing. Additional counseling and medical assistance is available to you on a continual basis.

B. Perpetrator

If you are the perpetrator of a sexual assault, the following are the risks involved:

- The possibility of infection by HIV virus that causes AIDS
- The possibility of contracting other sexually transmitted diseases
- You may be subject to criminal prosecution. The more prior convictions you have, the higher the possible sentence.
- You risk confinement in Administrative or Disciplinary Segregation, a single person cell due to your being a threat to other detainees and the orderly operation of the facility.

Stay clear of assaultive, extortion and/or gang activity.

A representative will be available, upon a detainee's request, to be present during a forensic medical examination of a detainee alleged to have sustained injuries as the victim of a sexual assault. A forensic medical examination is conducted after an alleged sexual assault for the purposes of collecting and preserving evidence related to the investigation or prosecution of the alleged assault. The representative may only provide the injured person with counseling and other supportive services.

INITIAL ADMISSION

- A. Upon arrival, the processing officer will retain for safekeeping your clothes, personal property, valuables and funds. Itemized receipts will be issued to you for all clothing, personal property, valuables and funds. It is important that you keep these receipts to aid in claiming your property when you are released.

Identity documents such as passports, birth certificates, government issued ID card, etc., will be inventoried and given to a deportation officer for placement in your A-file. You will receive, certified by an ICE Official, a copy of these documents upon request.

- B. While at this facility, you are permitted to have in your possession:

1. Approved commissary items (Must fit into allowed space)
2. Facility issued shoes and clothing.
3. Facility issued bedding and towel.
4. Facility issued plastic container and combination pad lock
5. Legal materials pertinent to your current case.
6. Mail and authorized correspondence.
7. Religious books or other authorized reading material - softbound (3).
8. Facility library book (1).
9. Personal photos (10, without hard backing, no larger than 5x7. No Polaroid pictures).
10. Health care items issued by or authorized by facility medical staff.

11. Eyeglasses, hearing aids, dentures, contact lenses or other authorized prostheses.
12. Plain wedding bands, watches or other valuable property (not to exceed \$50.00 in value).

Personal items must be stored in the locked plastic container or on the shelf under your bunk. If assigned to a cell, items may also be stored neatly on the desk and shelf. No item is to be attached or placed on the bunks, walls, or windows. The lock/cable that are attached to the plastic container is not to be tampered with. Doing so, may result in disciplinary action. Detainees are responsible for the loss of personal items not safeguarded or stored by the NWDC or ICE.

C. Your initial issue of clothing and linens shall be:

- | | |
|------------------------------------|---------------------------|
| 1. Two (2) detainee uniforms. | 8. One (1) pair of shoes. |
| 2. Four (4) pairs of socks. | 9. One (1) mattress. |
| 3. Four (4) pairs of underwear. | 10. One (1) pillow. |
| 4. Four (4) T-Shirts | 11. Two (2) blankets. |
| 5. One (1) Sweat Shirt | 12. One (1) pillowcase. |
| 6. One (1) Sweat Pant | 13. Two (2) sheets. |
| 7. One (1) pair of shower sandals. | 14. One (1) Towel |

At no time should you have in your possession more than the above quantity of facility issued items.

D. Your initial issue of personal hygiene items shall be:

- | | |
|-----------------------|-------------------------------|
| 1. One (1) comb. | 2. One (1) tube of toothpaste |
| 3. One (1) toothbrush | 4. One (1) deodorant |

Females will be issued additional hygiene items as required. All above hygiene items are exchanged on a one for one basis as needed.

E. Your housing unit officer will provide writing paper, pencils or pens and envelopes for your personal use. Envelopes are not to be used for internal correspondence, or artwork.

F. Should you require immediate medical attention, it will be provided as needed. Ordinarily, you will receive a medical examination within 14 days of your arrival by a member of the ICE Health Service Corps. Acceptance of the physical examination will not alter your case status and/or affect your length of detention.

PROPERTY and/or FUNDS RELEASE

You may release your property, including your keys and/or money to someone in the community or to pay for legal services that you designate in writing. To release your property or money, a "Detainee Request to Release Property – Funds" form must be filled out and signed by you, and verified by your Housing Unit Officer. The Property – Funds Release Form may be obtained from your Housing Unit Officer.

The person receiving your property and/or funds must provide staff with the following information: If the person does not have the following information, your property –funds will not be released to them. It is your responsibility to advise the party picking up your property and/or funds that this information is required.

- Name
- Address
- Date of Birth
- Official Picture ID or verifiable identification

CLASSIFICATION

All detainees are classified upon arrival, before being admitted into the general population. Criminal history information provided by the committing officer will be used in the classification process. Your classification category will affect your

housing assignment and ability to participate in facility programs. You have the right to appeal any classification decision and request a classification review should you disagree with the designation.

A detainee's classification will be periodically reassessed. The first reassessment will be completed within 60 to 90 days. Subsequent reassessments will be completed every 90 to 120 days thereafter, and before any release from administrative or disciplinary segregation. A detainee must be in general population for a minimum of 60 days (after release from SMU) before reclassification will be considered. Any disciplinary code conviction may affect your classification level.

Requests should be submitted on the Detainee Acknowledgement of (Classification) Decision / Appeal form or electronic Detainee Request Form (kite) addressed to the Classification Officer. He/she will review the request and make a recommendation to the Associate Warden for a decision. The Associate Warden's decision may be appealed to the Warden via the same process. The Warden's decision will be final.

Requests for housing changes should be addressed with your Pod Officer or the Shift Supervisor.

The Classification Levels and restrictions are as follows:

Level 1 (Low)- Blue Uniforms and Wrist Bands:

- May not be housed with Level 3 or Level 2 Medium-High.
- May not include any detainee with a felony conviction that included an act of physical violence.
- May not include any detainee with an aggravated felony conviction.
- May include detainees with minor criminal records and nonviolent felonies.

Level 2 (Medium-Low)- Green Uniforms and Wrist Bands:

- Medium-low custody detainees are those with no history of violent or assaultive charges or convictions, no institutional misconduct, and no gang affiliation.
- May not include detainees whose most recent conviction was for any offense under the "Highest" section of the severity scale.
- May not include any detainee with a pattern or history of violent assaults, whether convicted or not. It is considered as established for purposes of this guideline when an arrest record reveals two or more arrests in a five-year period for assault where force was used against another person with the intent to commit bodily injury.
- May not include any detainee convicted of assault on a correctional officer while in custody or where a previous institution record suggests a pattern of assaults while in custody.

NOTE: Women are assigned YELLOW Uniforms. Their wrist bands will be green, dependent on Classification Level.

- May not be housed with Level 3.

Level 2 (Medium-High) - Orange Uniforms and Wrist Bands:

- May include detainees whose most recent conviction was for any offense under the "Highest" section of the severity scale.
- May include any detainee with a pattern or history of violent assaults, whether convicted or not. It is considered as established for purposes of this guideline when an arrest record reveals two or more arrests in a five-year period for assault where force was used against another person with the intent to commit bodily injury.
- May include any detainee convicted of assault on a correctional officer while in custody or where a previous institution record suggests a pattern of assaults while in custody.

NOTE: Women are assigned YELLOW Uniforms. Their wrist bands will be Orange, dependent on Classification Level.

- May not be housed with Level 1.

Level 3 – (High) Red Uniforms and Wrist Bands:

- May include those detainees reclassified from levels one and two due to institutional incidents or changes in classification information.

- May be reclassified to level two only based on institutional behavior (no sooner than 60 days).
- **Level 3 detainees are considered a high-risk category, requiring medium to maximum-security housing. Level 3 detainees are always monitored and escorted.**

The detainee's classification level may determine the type of work assignment for which he/she is eligible.

General work does not require specific skills. A sample of work assignments and corresponding classification levels follow:

<u>Work Assignment</u>	<u>Level</u>
1. Kitchen worker (either shift)	1-2
2. Recreation/Library/Barber	1-2
3. Laundry	1-2
4. Living area clean-up / janitorial	1-3
5. Evening workers (facility janitorial)	1-2

NOTE:

- 1) Detainees who are released from Disciplinary Segregation will not ordinarily be considered for a work assignment until they have shown a positive period of adjustment.

LIVING CONDITIONS

The NWDC has cells and dormitories. Cells are for the two or four assigned persons, only. Visiting in cells **not assigned to you** is prohibited. Detainees are required to keep their assigned living areas clean at all times. Your bed must be made by 8:00a.m. If you choose to nap after that you may lie on the bed and cover yourself with a second blanket. The exception to this is night workers.

It is in your own best interest to maintain a clean living area and avoid the problems associated with unsanitary living conditions. Special care should be taken in housing unit restrooms to maintain cleanliness and sanitary conditions for everyone's benefit.

Empty soda bottles and empty protein containers may not be reused and must be recycled.

Using water bags or book bags for weightlifting are prohibited

Do not flush trash, gloves, sporks etc down the toilet; please use the trashcans provided for all trash.

Lock up is at 11:30 pm (2330 hours). That means lights out, no TV or radios, in your bunks, etc. There will be no socializing or game playing.

SPECIAL MANAGEMENT UNIT

Administrative Detention is intended for detainees with special housing requirements such as:

1. Pending investigation or hearing regarding prohibited act(s).
2. Pending transfer or release within 24hrs or in some cases up to seven days.
3. Security risk.
4. Protective custody.

Disciplinary Segregation is a special housing unit for detainees who are:

1. A serious disruption to facility operations.
2. In need of additional physical confines.
3. Under sanction of the Institutional Disciplinary Committee.

Detainees placed into Administrative Detention will be afforded the same general rights and opportunities as those in general housing with consideration given to the reason for their housing assignment.

Detainees placed into Disciplinary Segregation will be provided access to showers, recreation, visitation and other services as deemed appropriate by facility administration based on the nature of the rule violation, but access shall never be limited beyond that which is guaranteed by ICE Standards or Standards of the American Correctional Association. Showers shall be provided at least three times per week. Recreation shall be offered for at least one hour, 5 days per week, but may be limited based on abuse of recreational equipment/facilities. Visitation shall not be denied unless the rule violation involved visitation. Commissary privileges will not be provided for disciplinary segregation.

Medical staff will visit each detainee in the SMU on a daily basis. Sick call issues may be addressed at that time.

EVACUATION DRILLS

Per local, state and federal laws, we are required to perform evacuation drills. At this facility we perform no less than one drill each month. These drills are not designed to inconvenience you, but rather to ensure that you know where the exits are located in case of an actual emergency such as a fire, gas leak or natural disaster. In your housing unit is a diagram showing you the location of all fire exits and which exits to use. Study this diagram carefully; your life may depend on it.

OFFICIAL COUNTS

In order to maintain proper accountability of detainees at this facility, official counts are conducted at the following times:

1:00 a.m. 4:30 a.m. 11:30 a.m. 4:30 p.m. 10:00 p.m. (Photo / Verbal / Face to Photo Count)

During official counts no movement or talking is permitted. Disruptions may result in disciplinary action.

MEALS

All meals are nutritionally balanced, dietician approved and properly prepared and served. The use of food, i.e., the withholding of, or variation from, the standard menu, as a disciplinary measure or reward is prohibited. Food Service upon request and authorization provides special diets as required for medical/dental reasons or adherence to religious dietary law. The NWDC does not serve any pork.

If you have religious dietary needs, you need to submit an electronic "Detainee Request Form" (kite) to the NWDC chaplain and state what your dietary need is. Bear in mind that the standard fare meals contain **no pork** and therefore meets many religious dietary requirements. If you desire to be placed on a vegetarian diet for religious reasons, keep in mind that this does not mean you will receive additional portions of fruit, and does not include poultry or fish. Halal meals will receive the standard vegetarian diet and a halal dinner on Mondays, Wednesdays and Fridays. Special diets for medical reasons must be addressed through the medical staff. If you are on a special diet for any reason (religious, cultural, medical) you may not receive food items from another detainee's tray. Nor order items off of commissary that are in direct contradiction to the reasons for the special diet. Doing so will cause you to have your special dietary status reviewed, and possibly have you removed from special diet status.

Note: If you are on a medical diet, your request for a religious diet cannot be approved.

You are required to properly dispose of leftover food and place your tray and utensil in the appropriate place at meals end. For health and sanitation concerns food items may not be retained in the living area.

Meals are served in the housing units at approximately 5:30 A.M., 12:30 P.M., and 5:30 P.M.

SMOKING POLICY

Smoking and all tobacco products are strictly prohibited in all areas of this facility.

MEDICAL CARE

This facility provides a fully staffed medical clinic operated by the ICE Health Service Corps (I.H.S.C.) within the Department of Homeland Security to address your health care needs while in detention. (See pages at the end for additional information.) Overall responsibility of Medical falls under the Health Services Administrator (HSA).

LIVING WILLS AND ADVANCED DIRECTIVES

As a detainee at this facility you have the right to initiate a Living Will or an Advanced Directive. These forms are available through IHSC staff in the medical clinic. The guidelines and forms used are set forth by the State of Washington. Your private attorney may assist you in the preparation of these documents.

LAUNDRY SERVICE / LINEN EXCHANGE

Before 6:30 am your laundry bag is to be placed in the large Laundry Cart. All laundry must be in your mesh laundry bag to be washed. Make sure you tie or zip your bag securely. Your laundry bags will be returned to the unit in the afternoon. Please see the bulletin boards in your unit for the current Laundry Schedule. Detainees are not permitted to wash clothing, bedding, linens, tennis shoes or other items in the housing units. Sheets and Towels will be exchanged / washed once each week. Blankets are exchanged / washed once per quarter.

Detainee workers assigned to Food Service will receive clean white uniforms on a daily basis. At no time should you have more than the issued quantity of any clothing or linen item in your possession. Possessing extra items is a violation of facility rules and is cause for disciplinary action.

You are responsible for the clothing and linen issued to you. Purposefully damaging any facility property will subject you to disciplinary action. If your clothing or linen becomes worn-out, you may request replacement by filling out the Laundry Request Form after verification and approval by your unit officer.

PERSONAL HYGIENE

You will be living in a housing unit with other individuals, so personal hygiene is essential. You are expected to bathe regularly and to keep your hair clean. Personal hygiene items, such as toothbrushes, toothpaste, combs, etc. will be issued to you upon arrival or provided in your housing unit. Personal hygiene exchange will be conducted daily by the Housing Unit Officer on a one for one exchange. Disposable razors will be provided daily, in exchange for your personal I.D. card. After each use, the razor is to be returned to the Pod Officer for disposal and your I.D. card will be returned to you. You may not be in possession of a razor unless the Pod Officer has your I.D. card.

Detainees attending court will be afforded the opportunity to shave before reporting to court.

BARBERING SERVICES

Hair cutting services are provided to all detainees, by unit according to the Master Schedule. If you want barbering services, sign up with the housing unit officer the evening before your unit's scheduled day. The hours are from the 7:30am movement until 11:00am. If you missed your unit's scheduled day, for a reason beyond your control (Court, Medical Appt, Moved Units) you may submit a request an electronic "Detainee Request Form" (kite) to receive barbering services.

Detainee volunteers provide barbering services to fellow detainees in the Barber Shop. If you want to volunteer to become a barber, you must complete an electronic "Detainee Request Form" (kite) and forward it to the Classification Officer. All haircutting equipment is cleaned and sanitized after each use.

Detainees are prohibited from cutting hair in the housing units and are not to possess cut hair or clippings.

SLEEPING AREA/SANITATION

You are required to keep your bed and immediate area clean and neat. The living units must be cleaned and beds are to be made every day by 8:00am. If you choose to nap after that you may lie on the bed and cover yourself with a second blanket. The living units are to be kept clean throughout the day. The hanging of sheets, towels, blankets or clothing from bunks, etc. is prohibited. If hooks are provided, wet towels are to be hung from them. Towels may be hung over the shelf opening.

Personal items including hygiene items are to be stored in the locked plastic container or on the shelf under your bunk. The bunk is not to be used as a shelf. These items will be confiscated when left in unauthorized areas. It will be your responsibility to identify and reclaim the items through the housing unit officer.

FINANCES

The booking staff upon admittance will collect all money, checks, money orders, valuables or other financial instruments. All US currency regardless of how it is received will be placed into your Detainee Account. Only **US Postal, Canadian Postal (payable in U.S. currency only) and Western Union** money orders and checks from Federal, State, City or County agencies or other correctional facilities will be cashed and placed in your account. We will not cash personal checks, payroll checks or any other money orders.

Family, friends, relations, etc. may deposit funds into your Detainee Account either on-line at *inmatedeposits.com* or by calling toll free (866-345-1884). In order to complete the deposit, they must have

- Your complete name and A-number, and
- The Name and Location of the Facility - Northwest Detention Center, Tacoma, Washington

Upon your release you will receive cash for the amount remaining in your account, in addition to all of your stored personal property, foreign currency, and valuables. If anything is missing or broken, staff will assist you in filling out a Claim for Lost or Damaged Property form. Following an investigation, if it is determined that NWDC employees are at fault, a reimbursement check will be mailed to your forwarding address.

Possession of cash, checks or any other financial instrument inside the facility is a violation of facility rules and will subject you to disciplinary action. There are no fees, charges, or co-payments for services or programs.

To check the balance of your account, you can use the commissary Kiosk. To receive a paper copy, sign up on the account ledger form provided by your pod officer.

ACCESS TO TELEPHONE (Telephone Calls Are Subject to Monitoring)

Talton provides the phone service at NWDC. Talton operates under contract with ICE.

Telephones are provided in each housing unit and the booking area for your use. Telephones are turned on following the completion of sanitation duties each morning and will remain on until lights out (11:30 p.m.) with the exception of formal count times. Telephone calls are made at your expense using a telephone debit card (see below), making a direct call, or as a collect call. The cost for using the detainee telephone system is posted in each of the housing units. When telephone demand is high, you are expected to limit your calls to allow others the opportunity to place calls. If you are unable to place calls from the telephone in your housing unit or you need to place an emergency call, such as an illness or death in the family, you may complete a detainee request form to access an office telephone. All calls to consular officials or free legal services are provided at no cost to you on the unit phones. If you are having a problem making a confidential call relating to a legal proceeding, notify your unit officer.

Detainees at the NWDC are permitted to make free / pro bono telephone calls to local immigration courts and the Board of Immigration Appeals, federal and state courts if in proceedings there, consular officials, legal service providers to obtain legal representation or for consultation when subject to expedited removal, or legal service providers or organizations listed on the ICE/DRO free legal service provider list, or United Nations High Commissioner for Refugees (UNHCR) at 1-888-272-1913 (for asylum-seekers and stateless individuals), or government offices to obtain documents relevant to his/her immigration case, and in the case of a personal or family emergency. **If unable to make those calls, please contact your Deportation Officer.**

To purchase **calling time**, detainees can order telephone calling cards through the Kiosk located in each housing unit. Visitors may purchase prepaid phone time by either depositing funds (cash or credit card) in the kiosk located near the

front entrance or by accessing www.Talton.net from any Internet connection (credit card). Family and friends can dial 866-348-6231 for customer service to set up a pre-paid phone account.

GEO/NWDC does not refund prepaid phone time upon book out. Please follow the directions on the back of your prepaid calling card to receive a refund from Talton.

Detainees can receive voice mail messages from family and friends. Please dial 888-516-0115 to retrieve your voice mail message the next time you access the phone system (a small fee will apply).

VIDEO CHAT SYSTEM

How to use the Video Chat System

Use your Phone PIN to log into the video chat machine.

If you have questions, dial 211# on the phone and leave a message.

*Your friends and family must create a free account to video chat with you.

To create an account:

1. Go to Talton.com
2. Click the blue "Video Visit" button
3. Pick "Northwest Detention Center"
4. Click "Schedule Visitation"
5. Click "Create an Account"

*Your friends and family need:

1. A Computer
2. A webcam and a microphone (most laptops have these built in)
3. An Internet browser. IE 7, 8 or 9, Firefox 7,8 or 9, Safari 4 or 5
4. Adobe Flash 10 or 11
5. High-speed internet connection (DSL or Cable) Dial-up and satellite and NOT SUPPORTED

Staff will also take emergency telephone messages from outside callers and deliver them to the housing units.

There is at least one Telecommunications Device for the Deaf/Telephone Typewriter (TDD/TTY) for detainees with hearing and/or speech disabilities, and for detainees wishing to communicate with parties that have such disabilities. Access to TDD/TTY equipment requires the detainee to submit a request to the Shift Supervisor.

Telephones are made available as necessary with adjustable volume for detainees with hearing impairments.

SMART JAIL MAIL

The Smart Jail Mail system is the system you will use to send Electronic "Detainee Request Form" (Kite) and Grievances to GEO, ICE and Medical staff. Please see page 5 – Staff-Detainee Communication and Page 25 Detainee Grievance Procedure.

- ❖ SmartJailMail.com is designed to allow detainees to communicate with their friends and family through electronic messaging (e-mail).
- ❖ You can now use electronic mail to send and receive letters instantly with your friends and family through the SmartJailMail.com website. The cost is only 50 cents per message, approximately the same price as regular postage and an envelope.
- ❖ Every Detainee will have their own SmartJailMail.com account. Go to one of the computer kiosks and click the "Get Started" button to activate your account and set your own password. Do not share your password with anyone.

- ❖ Ask your family and friends to go to www.SmartJailMail.com to create their own SmartJailMail.com account. If you already know a friend or family member's email address or US-based telephone number you can enter it in to the kiosk and SmartJailMail.com will send them an invitation to start communicating with you. Friends and family members can also log into the website and look you up by name or ID under the "Find an Inmate / Detainee" search in the Northwest Detention Center.
- ❖ SmartJailMail.com message credits can be purchased on the website by friends and family and can also be transferred to detainees by friends and family members.
- ❖ Each Saturday every detainee will receive two free message credits. These can be used to open a COD message or to send a message to your contacts. These free credits must be used on Saturday. Any unused free credits will be revoked at midnight on Saturday. Your paid credit is never revoked. This is an ongoing program, so the free credits will be applied every Saturday morning.
- ❖ Messages can also be sent "C.O.D" and will be free to send but will cost the recipient one message credit to open the message.
- ❖ Get logged in, ask your friends and family to look you up at SmartJailMail.com and start sending messages today. It's that easy!
- ❖ NOTE: The kiosk is locked out at night which is when the "system unavailable" message comes up. The kiosk is available for use again in the morning. If the kiosk screen is not on, press any key or move the trackball to wake it up.

SmartJailMail is subject to monitoring by personnel. There is no expectation of privacy. No 3rd party correspondence is allowed. Any misuse of the SmartJailMail system may cause you to be disabled from the program, and you may also be subject to disciplinary action.

RELIGIOUS SERVICES

All detainees shall have access to religious resources, services, instruction and counseling on a voluntary basis. Detainees shall be afforded the greatest freedom and opportunity to pursue legitimate religious beliefs or practices within the constraints of safety and security requirements. Services are provided through community volunteers at least once per week. Schedules for religious services are posted at each housing unit. If you desire religious services or privileges not provided, you must complete a detainee request form. The Chaplain will consult with appropriate members of the religious community in assessing your request.

The church services are conducted by religious volunteers. The religious volunteers are not allowed to receive anything from you, nor are they allowed to give anything to a detainee. Should they be observed giving or receiving anything to / from a detainee, their services will be terminated.

Volunteers are not allowed to visit detainees.

It is not possible to schedule special events, such as concerts, and or revival meetings etc. at the NWDC.

Religious Services Schedule will be posted in the housing unit.

COMMISSARY

This facility provides a commissary service that allows you to purchase food items, hygiene products, telephone time, postage and writing supplies to supplement what is issued to you. A Kiosk is available to input commissary orders with issued security passwords. Upon arrival, change your password for your use only. A commissary order form can be obtained from housing units not providing a Kiosk. The form must be properly filled out with the detainee's A-number printed in the appropriate box plus the individual numbers entered into the bubble. The form is to be dated, include the detainee's printed name, signature, housing unit information and placed in the commissary box located in your housing unit. All Commissary **Orders must be completed no later than 5:45 a.m. on Monday and Thursday. Failure to provide complete and correct information on an order may result in that order form being rejected.** Commissary

orders will be processed and delivered the next day, Tuesday and Friday. There is a \$50.00 limit on all orders, not to include tennis shoes, radios, stamps or pre-paid calling time (as noted above).

Tennis shoes can be purchased either directly by you or by your friends / family. Order forms are available in the living units or your friends / family may request an Order form from the front desk officer.

Commissary bags are NOT to be opened prior to verifying the bags content. An opened bag indicates that a detainee has inventoried and accepted his/her order. If a detainee is not present either working or on an appointment the bag will be left with the housing unit officer. Once the bag is removed from the desk it is considered received in full.

VOLUNTARY WORK PROGRAM

Every effort will be made to provide you an opportunity to participate in the voluntary work program. Wages are \$1.00 per day. Ordinarily you will not be permitted to work more than eight hours per day or 40 hours per week. Wages earned are calculated and credited to your account, daily.

Note: A detainee must submit an electronic “Detainee Request Form” (kite) to the Classification Office to make a claim for non-payment within 14 days of the date in question. Detainees may also request a copy of their personal account once each week. This request is to be submitted in an electronic “Detainee Request Form” (kite) to the Business Office or by signing up on the finance signup sheet with your housing unit officer.

You will be provided any necessary training to perform the job to which you are assigned and will be required to sign a voluntary work program statement. You must complete a detainee request form indicating that you wish to participate in the voluntary work program and are encouraged to list any special skills or experience that you may have on the form. The form is routed to the Classification Officer. Prior experience and/or specialized skills are not a requirement for participation in the voluntary work program. However, medical staff must first physically clear detainees requesting to work in Food Services before that assignment can be made. Detainees who choose to participate in the voluntary work program are required to work according to an assigned work schedule. Unexcused or frequent absences or unsatisfactory work performance may result in your removal from the voluntary work program.

LIBRARY

Each housing unit contains a library where a wide variety of materials are maintained. The cultural diversity of the detainee population has been carefully considered in acquiring printed materials. A wide variety of subject matter and language is represented in the collection. You may have one library book at a time and are asked to return it in a timely manner so that others may enjoy it. Books are periodically rotated throughout the housing units so all detainees have access to all of the reading materials.

LAW LIBRARY

A law library is available for use in preparing your case. A large number of documents are provided and regularly updated in order to provide you with current reference materials. A computer, typewriter, paper and writing supplies are provided. The reference materials and equipment in the law library are provided at great expense. Reference material not located in the Law Library may be requested by an electronic “Detainee Request Form” (kite). Damaging or removing materials or equipment will result in disciplinary sanctions that may include financial restitution. Missing and/or damaged material should be reported to the Law Library Officer and accompanied by an electronic “Detainee Request Form” (kite) explaining what is missing and/or damaged.

To use the law library, detainees are to meet with their Housing Unit Officer each day, Monday through Friday, before 10:30 am, and fill out the “Law Library Sign-Up Sheet”. You should:

- sign-up as the “Requestor”;
- write down your “A-number”;
- indicate whether you require “General Assistance” (a simple “Y” – yes or “N” –no); or,
- if “Specific Assistance” is needed, from whom (Name of the other detainee and A-number) to include what “Pod” that detainee lives in.

Note: Paper Kites will be the accepted method for detainees assigned to SMU or the infirmary.

These forms will be picked up at 10:30 am Monday through Friday. The Law Library Officer will create a schedule for the following business day, and that schedule will be given to your Housing Unit Officer. He /she will make sure you are informed of your appointment.

Detainees will be scheduled in one hour increments, Monday through Friday (except holidays), from 06:00 am until 4:00 pm, up to a minimum of 5 hours per week. Requests for additional time and days may be requested, and arrangements may be made as time and resources permit. Special priority will be granted for additional library time when a detainee has provided the ICE DRO with a court deadline.

Detainees may request that copies be made of their legal material during any open movement or by signing up on the Law Library Sign Up Sheet. Segregated detainees may request copies by submitting a paper Kite that includes the number of copies.

Detainees who are indigent and/or require a large manila envelope to mail their legal material must bring these documents to the Law Library during open movement.

As an alternative to a paper-based publication, the NWDC uses the Lexis/Nexis publication on CD ROM in the Law Library. Lexis/Nexis is the program used to review previous immigration cases and for researching immigration law. The following are the directions for using the Lexis/Nexis program. This information is also posted in the Law Library.

- Double click on the Lexis/Nexis icon, if the icon is not available, you may access the program via the Start Menu, then select “Programs”, and double click on Lexis/Nexis.
- Click on the “Proceed” option, and a menu will be provided with the options “Immigration Cases Disk One” or “Disk Two”, click on either option, and then click on the open button on the right side of the screen.
- You will see options ranging from “Supreme Court of the United States” to United State Court of Appeals”.

TYPEWRITERS AND COMPUTERS

A typewriter and a word processing computer are provided in the law library for preparation of legal documents **ONLY**. This equipment is not to be used for personal correspondence. If you need to use the computer you must sign up on the Law Library Sign-up Sheet” provided to you in your living unit the day before the intended use. The Law Library supervisor will issue you a thumb drive so that you can save your work. This thumb drive will remain the property of GEO upon your release or transfer. No supervisor or staff member will read your documents beyond verifying that they are in reference to legal matters.

VISITING

Visitation is open Thursday thru Monday including federal holidays. Closed on Tuesday Wednesday (Visitation will occur on holidays, regardless of the day the holiday falls on)

Even numbered dates: (Example 2,4,6,8)

07:30am to 11:00am - Level 1, 2 (Low, Medium-low, Medium-high classifications)

1:00pm to 4:00pm and 6:00pm to 10:00pm - Level 3 (High classification)

Odd numbered dates: (Example 1,3,5,7)

07:30am to 11:00am - Level 3 (High classification)

1:00pm to 4:00pm and 6:00pm to 10:00pm - Level 1, 2 (Low, Medium-low, Medium-high classifications)

Sign In Times

7:30am - 8:45pm.

Visitors must be checked-in no later than 9:45am, 2:45pm, or 8:45pm, respectfully, to allow for enough time to process at least an hour visit. Visitors arriving after those times will be permitted understanding they will not receive an hour visit.

Every effort will be made to allow you to receive visitors. Sessions will be no less than one hour under normal conditions. In unforeseen circumstances, such as the number of visitors exceeding visiting room capacity, facility may modify visiting periods. More time may be authorized by the Shift Supervisor for family members traveling significant distances. A maximum of two adults and two children may visit at any one time. This regulation will be interpreted flexibly and subject to exceptions. Members of clergy who present proper identification will be admitted to visitation upon request. Visitors will be limited to one session per day.

Any disruptive behavior by either party will result in the termination of the visit and may cause future visits to be denied. If your visitor(s) bring children (17 years of age or younger) they are expected to maintain direct supervision of those children and prevent disruption to other visitors. Visitors must be in appropriate and socially accepted attire. A dress code for visitors is posted at the visiting area. Visitors are not permitted to carry personal items into the visiting area. Lockers are provided to secure these items. Transportation options available to visitors include taxi or Pierce Transit buses, nearest stop is the Tacoma Dome Station.

DRESS CODES FOR VISITORS

The facility maintains a dress code for visitors. The dress code shall be posted and freely available to the public. The minimum dress code follows.

Female Visitors Age 12 and Older

- a. Shorts shall cover customarily covered areas of the anatomy, including the buttocks and crotch area, both when standing and sitting. Shorts no higher than mid-thigh comply. Short-shorts, jogging shorts, cut-offs, and other obviously inappropriate short garments are prohibited.
- b. Skirts and dresses shall extend to mid-thigh, seated.
- c. Slits in skirts and dresses shall rise no higher than mid-thigh, seated.
- d. Sheer (see-through) clothing is prohibited.
- e. The top of clothing shall not be lower than the armpit in the front or back. Bare midriffs, tank tops, strapless tops, tube tops, and swimsuits are prohibited.
- f. Shoes shall be worn at all times.
- g. Gang "colors" and other gang displays are prohibited.
- h. No clothing with offensive pictures or writing.

Male Visitors Age 12 and Older

- a. Shorts shall cover customarily covered areas of the anatomy, including the buttocks and crotch area, both when standing and sitting. Shorts no higher than mid-thigh comply. Short-shorts, jogging shorts, cut-offs, and other obviously inappropriate short garments are prohibited.
- b. Shirts shall be worn at all times. Muscle shirts, bare midriff shirts and sleeveless shirts are prohibited.
- c. Shoes shall be worn at all times
 - d. Gang "colors" and other gang displays are prohibited

- No coats, jackets, vests or sweaters with pockets are allowed into the visitation rooms.

ATTORNEY VISITS

Attorneys and/or paralegals may visit detainees seven (7) days a week from 7:30 a.m. until 22:00 p.m. If necessary, you will be given the option to meet with your attorney during scheduled meal times and you will be provided with a sack meal. A list of free legal services is posted at each housing unit, and is updated quarterly. If you wish to see a representative from this list, it is your responsibility to contact them for an appointment.

If you have made an appointment to meet with an attorney, legal representative or paralegal from an organization, legal firm, or other association or company, it is your responsibility to cancel the appointment if you do not intend to keep the appointment. Appointment cancellations will not be accomplished on your behalf by, or through an officer or another detainee.

CONSULAR VISITS

You have a right to contact your consular representatives and receive visits from your consulate officer. These visits may take place during normal attorney visiting hours or with special permission from the Warden. These visits may be private.

CONSULAR VISITATION FOR DETAINEES SUBJECT TO EXPEDITED REMOVAL

If you are subject to expedited removal and have been referred to any asylum officer, you are entitled to consult with anyone you choose before the interview while the officer's decision is under review. This includes family, friends, legal representatives, members of nongovernmental organizations (NGOs), etc. These consultations are to be private, just like meetings with attorneys. You may also have these persons with you during the asylum officer's interview and during an immigration judge's review of a negative credible fear determination if the judge allows it.

CONSULATE AND COURT SERVICES

You are encouraged to request assistance from your consulate. They can help you with your case. If you have trouble contacting your consulate, you may request assistance by completing an electronic "Detainee Request Form" (kite) and addressing it to ICE. You also have access to the immigration court information number: 1-800-898-7180. Once you are in ICE custody, your consulate will be notified if you are a citizen of a mandatory notification country in accordance with Department of State Publication #10969.

PRO BONO LIST OF LEGAL ORGANIZATIONS

The current list of pro bono legal organizations and individuals is posted in each housing area. They are:

- Northwest Immigration Rights Project, telephone: Speed Dial: 5669 or 1 - (206) 587-4009, 1-(877) 814-6444
- Volunteer Advocates for Immigration Justice, telephone: 1 - (206) 359-6202

GROUP LEGAL RIGHTS PRESENTATIONS

Group legal rights presentations are provided. Detainee names are placed on a list by NWIRP based upon Court dockets, detainee requests, or calls from detainee families, etc. Presentations are open to all detainees, regardless of the presenters intended audience, unless attendance by a particular detainee would pose a security risk.

Detainees in segregation will be allowed to attend if security is not compromised. If a detainee in segregation cannot attend for this reason, and both he/she and the presenter so request, alternative arrangements shall be made. If it becomes necessary, presentations may be made to individuals in segregation, if the presenter agrees and security can be maintained.

INSPECTIONS OF PERSONS AND PROPERTY

You are subject to search upon admittance into the facility and when there is reasonable cause to believe that you may have contraband concealed on your person. Additionally, searches are routine requirements when entering housing units or when leaving the visiting area. Routine, unscheduled searches of the facility, detainee's property and persons will be conducted as deemed necessary. There are occasions when random searches will be conducted when entering or leaving an area.

All searches are conducted as a means of preventing contraband and ensuring that safe and sanitary conditions are maintained in the facility. Searches are not punitive in nature.

CONTRABAND / UNAUTHORIZED PROPERTY

Items not inherently illegal may be considered contraband when possession of the item(s) is prohibited by facility policy or, while not a prohibited item, a greater quantity of the item than allowed is possessed.

Contraband items include but are not limited to:

1. Any dangerous drug, narcotic drug, marijuana, intoxicating liquor of any kind, deadly weapons, dangerous instruments, explosives or any other article that, if used or possessed, would endanger the preservation of order in the facility.
2. Any item which could be used as an aide to escape.
3. Any item which could be used to disguise or alter the appearance of a detainee.
4. Any article of clothing or item for personal use or consumption which has not been cleared first through the Warden or purchased by a detainee from the commissary.
5. Cameras, video, audio, or related equipment that can be used to make unauthorized photographs or audio, or audio/video recordings of detainees, staff or government property.
6. Contraband includes material prohibited by law or regulation, or material that can reasonably be expected to cause physical injury or adversely affect the security, safety, or good order of the facility.
7. Any original identity documents such as passports and birth certificates. Possession may be used by ICE/DRO as evidence against you or for other purposes authorized by law. (Copies of such documents if provided by ICE are not contraband.)
8. Any item altered from its original condition.
9. Sexually explicit material.

Procedures for Handling Contraband

1. Staff shall seize any item identified as contraband, whether found in the physical possession or living area of a detainee, in a common area, or in incoming or outgoing mail.
2. Staff shall inventory, receipt, and store in a secure area with the detainee's other (stored) personal property contraband that is not illegal. This property shall be held until the detainee's release when, unless it is illegal under criminal statutes or could pose a threat to security, it will be returned to the detainee. Nuisance / perishable contraband will be immediately destroyed (cigarettes, food, alcohol, etc.).

Staff shall handle items seized as contraband in accordance with the following procedures.

1. These procedures apply to contraband found in the physical possession or living area of a detainee, in common areas, or in incoming or outgoing mail. They also apply to contraband discovered during in-processing and in the possession of a detainee awaiting interviews, hearings, etc. Exceptions to these procedures may occur only upon written authorization of the Warden, or designee.
2. Contraband that is illegal (under criminal statutes) will be inventoried, held, and reported to ICE for action and possible seizure.
3. Contraband that is facility or government property will be retained as evidence for possible disciplinary action or criminal prosecution. If appropriate, the property will be returned to the issuing authority if not needed as evidence or, if needed, after its use. Alternatively, staff may return the property to normal stock for reuse or, if the property has been altered, the Warden, or designee, may order it destroyed.
4. The Warden, or designee, shall generally consult a religious authority about the handling of religious items prior to confiscation. Such consultation is not required before confiscation of religious items categorized as "hard contraband".
5. Contraband that is illegal under criminal statutes may be destroyed when no longer needed for possible disciplinary action or criminal prosecution. All destruction of illegal hard contraband must have the approval of the Warden, or designee, prior to destruction.

Examples of "hard contraband" include:

- a. Tools that could aid in an escape (e.g., rope);
 - b. Ammunition or explosives;
 - c. Combustible or flammable liquids;
 - d. Hazardous or poisonous chemicals and gases;
 - e. Weapons;
 - f. Intoxicants;
 - g. Currency.
6. Narcotics and other controlled substances not dispensed or approved by the Northwest Detention Center medical department constitute hard contraband. Medicine dispensed or approved by the medical department is hard

contraband if found in the possession of a detainee for whom it was not prescribed, or if not used as prescribed. Medicine the detainee brings into the facility upon arrival will be forwarded to the facility medical staff for disposition. Duly approved medicine will be returned to the detainee.

7. If the personal property of a detainee exceeds storage capacity, the Warden, or designee, will determine which items are excess, and arrange to ship them to a third party chosen by the affected detainee. The Northwest Detention Center will pay shipping costs for a detainee who cannot afford the postage. If, however, the detainee chooses not to provide an appropriate mailing address, or is financially able but unwilling to pay the postage, the Warden, or designee, may dispose of the property as described within Policy 4.1.2, Detainee Personal Property, after providing the detainee with written notice of the intent to destroy the property and how to prevent that outcome.

When it is clear that an appropriate mailing address does not exist, the Northwest Detention Center will store the property for the detainee.

8. The following procedures will be followed when a detainee's claim of ownership of contraband material is in question:
 - a. Inventory and store item pending verification of ownership;
 - b. Provide detainee(s) claiming ownership with a copy of the inventory as soon as practicable, and place a second copy in the detainee detention file(s);
 - c. The detainee(s) shall have seven days following receipt of the inventory to prove ownership of the listed items. Staff will deny a detainee's claim of ownership for an item acquired without authorization from another detainee;
 - e. If the detainee cannot establish ownership, staff shall attempt to resolve the question before any decision is made regarding appropriate handling. If ownership cannot be reasonably established, the property may be destroyed as outlined in Policy 4.1.2, Detainee Personal Property.

DESTRUCTION OF CONTRABAND

1. The Warden, or designee, determines whether an item will be destroyed.
2. The Warden, or designee, will generally hold an item of questionable ownership for 120 days before considering its destruction.
3. The officer who physically destroys the property and at least one official observer shall attest, in writing, to having witnessed the property's destruction.
4. A copy of the property disposal record shall be placed in the detainee's detention file. Records of property disposal shall remain on file for at least two years.

CORRESPONDENCE / PACKAGES

You may send or receive mail to or from anyone you know personally. Stamps or pre-stamped envelopes are available for you to purchase through the Commissary. Detainees with funds are expected to provide for their personal postage needs. You may seal your outgoing letters and place them in the mailbox in the unit. Drawing on the front of your outgoing envelopes is prohibited by postal regulations. If you receive incoming social or legal mail, it will be opened in your presence and inspected for contraband.

You must use the following address to send or receive mail at this facility:

Your Full Name, Your "A" Number
1623 East J Street, Suite 5
Tacoma, WA 98421

If you do not accept the mail or permit it to be inspected, it will be returned to the sender. **Your mail will not be read; it will only be examined for contraband.**

You will not be allowed to receive packages without advance arrangements, approved by the Warden. You will pay the postage for sending packages for oversized or overweight mail. Please fill out a MR-001 Postage Authorization form and submit it with your package. The contents of any outgoing or incoming packages will be inspected in your presence.

If you are indigent (defined as a detainee who has an account balance of \$15.00 or less):

- You may send up to three personal letters per week, weighing no more than two ounces each, at no cost to you.
- A reasonable number of legal (special) correspondences may also be sent at no cost to you.
- Please fill out a MR-001 Postage Authorization form and submit it with your letters.

Subscriptions to publications, magazines and catalogs are not allowed. The facility subscribes to certain magazines that are available to you in your unit. Books must be requested in advance via a “Request to Receive a Package or Property” form. The title(s) of the book(s) must appear on the “Request” form. Books must be paperback and must come directly from a publisher or an authorized bookstore / outlet.

Any mail received after you depart the facility will be endorsed, “No Forwarding Address, Return to Sender”. All such mail will be returned to the Post Office.

ACCEPTANCE OF DETAINEE PROPERTY (ONLY CLOTHING)

If you have been notified that you are scheduled for removal in the near future, you may be eligible to have family / friends bring in or mail in **clothing**. You should:

- Submit an electronic “Detainee Request Form” (kite) to your ICE Officer explaining your need and requesting authorization. Including the Name, address and telephone # of the person bring in the items.
- If approved, your ICE Officer will complete the process and perform the necessary notifications within seven days of your departure.

SPECIAL CORRESPONDENCE

“**Special correspondence**” is the term for detainees’ written communications to or from private attorneys and other legal representatives; government attorneys; judges, courts; embassies and consulates; the President and Vice President of the United States, members of Congress, the Department of Justice (including the DOJ Office of the Inspector General); the Department of Homeland Security (including ICE, I.H.S.C. ERO, DHS CRCL and DHS OIG; outside health care professionals, administrators of grievance systems; and representatives of the news media.

Correspondence will only be treated as special correspondence if the title and office of the sender (for incoming correspondence) or addressee (for outgoing correspondence) is clearly visible on the envelope, clearly indicating that the correspondence is special and clearly labeled with the words “Special Correspondence”. It is your responsibility to inform senders of this labeling requirement.

Staff will not treat outgoing correspondence as special if the name, title, and office of the recipient are not clearly identified on the envelope to provide a clear indication that the mail is special.

NOTICE: ALL INCOMING AND OUTGOING MAIL TO INCLUDE SPECIAL CORRESPONDENCE IS SUBJECT TO INSPECTIONS FOR CONTRABAND.

NOTARY

To request Notary Services sign up on the Law Library Sign-Up Sheet. This service is available for individuals detained in this facility only. Documents for friends, relatives or spouses will not be notarized. ICE approval is required when requesting Notary Services regarding identification. This includes but is not limited to driver’s licenses, passports, birth certificates, marriage license requests, etc.

DETAINEE DISCIPLINARY PROCESS

In a facility where many individuals live together in a relatively small amount of space, it is extremely important that order and discipline be maintained. Discipline and order are not only for the benefit of staff, but also for the safety and welfare of you and all other detainees. While many problems can be solved informally through counseling, disciplinary measures must be imposed at times. The following is a list of offenses and associated penalties. Any detainee who is charged with a violation of facility rules will receive a disciplinary hearing and be permitted to speak, call witnesses, have a staff representative and present evidence before a penalty is imposed. Detainees have the right to appeal the decision of the Disciplinary Hearing within fifteen (15) days.

Detainees have the following rights:

1. The right to protection from personal abuse, corporal punishment, unnecessary or excessive use of force, personal injury, disease, property damage and harassment;
2. The right of freedom from discrimination based on race, religion, national origin, sex, sexual orientation, handicap, or political beliefs;
3. The right to pursue a grievance in accordance with written procedures;
4. The right to correspond with persons or organizations, consistent with safety, security, and the orderly operation of the facility; and,
5. The right to due process, including the prompt resolution of a disciplinary matter.

Category I Offenses:

Listed below are Category I or Greatest offenses. The Discipline Committee may impose any combination of penalties for Category II, III, or IV offenses as well as the following penalties:

- (1) Refer to ICE for Criminal Proceedings
- (2) Disciplinary Transfer
- (3) Disciplinary Segregation up to 60 days
- (4) Restitution
- (5) Loss of privileges

100 Killing

101 Assaulting any person (includes sexual assault)

102 Escape from escort; escape from secure facility

103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of greatest severity, e.g. a riot or an escape, otherwise the charge is classified as code 219 or 322.)

104 Possession or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, escape tool, device or ammunition

105 Rioting

106 Inciting others to riot

107 Hostage-taking

108 Assaulting a staff member or any law enforcement officer

109 Threatening a staff member or any law enforcement officer with bodily harm.

110 Attempt to commit any of the above offenses or assist others to commit any of the above acts.

198 Interfering with a staff member in the performance of duties (conduct must be of the greatest severity). This charge is to be used only if another charge of greatest severity is not applicable.

199 Conduct that disrupts or interferes with the security and orderly operation of the facility (conduct must be of the greatest severity.) This charge is to be used only if another charge of greatest severity is not applicable.

Category II Offenses:

These acts listed below shall be considered Category II or High Offenses. The Discipline Committee may impose any combination of the following penalties:

- (1) Refer to ICE for criminal proceedings
- (2) Disciplinary transfer
- (3) Disciplinary Segregation up to 30 days
- (4) Restitution
- (5) Loss of privileges
- (6) Change of housing
- (7) Remove from programs / group activities
- (8) Loss of job
- (9) Impound and store personal property
- (10) Confiscate Contraband
- (11) Restrict to living unit
- (12) Warning

- 200 Escape from unescorted activities or escape from facility without violence
- 201 Fighting, boxing, wrestling or any other form of physical encounter, including horseplay, that causes or could cause injury to another person; except when part of an approved recreational or athletic activity
- 202 Possession or introduction of an unauthorized tool
- 203 Loss, misplacement or damage of any restricted tool
- 204 Threatening another with bodily harm
- 205 Extortion, blackmail, protection; demanding or receiving anything of value in return for protection against others, avoiding bodily harm or avoiding a threat of being informed against
- 206 Engaging in sexual acts
- 207 Making sexual proposals or threats
- 208 Wearing a disguise or mask
- 209 Tampering with or blocking any lock device
- 210 Adulteration of food or drink
- 211 Possession, introduction or use of narcotics, narcotic paraphernalia or drugs not prescribed for the individual by the medical staff
- 212 Possessing a staff member's clothing
- 213 Engaging in or inciting a group demonstration
- 214 Encouraging others to participate in a work stoppage or to refuse to work
- 215 Refusing to provide a urine sample or otherwise cooperate in a drug test
- 216 Introducing alcohol in to the facility
- 217 Giving or offering an official or staff member a bribe or anything of value
- 218 Giving money to or receiving money from any person for an illegal or prohibited purpose, such as introducing / conveying contraband
- 219 Destroying, altering or damaging property (facility, government or another person's) worth more than \$100.00
- 220 Being found guilty of any combination of three or more high moderate or low moderate offenses within 90 days
- 221 Signing, preparing, circulating or soliciting support for prohibited group petitions
- 222 Possessing or introducing an incendiary device, e.g. matches, a lighter, etc.
- 223 Any act that could endanger person(s) and/or property
- 224 Attempt to commit any of the above acts or assists other to commit any of the above acts.
- 298 Interfering with a staff member in the performance of duties (conduct must be of highest severity). This charge is to be used only when no other charge of highest severity is applicable.

- 299 Conduct that disrupts or interferes with the security or orderly operation of the facility (conduct must be of highest severity). This charge is to be used only when no other charge of highest severity is applicable.

Category III Offenses:

These are considered to be Category III or High Moderate Offenses. Any combination of the following penalties may be imposed:

- (1) Refer to ICE for criminal proceedings
- (2) Disciplinary Transfer
- (3) Disciplinary Segregation up to 72 hours
- (4) Restitution
- (5) Loss of privileges
- (6) Change of Housing

Note: IDP must impose the above sanctions

- (7) Removal from Program
- (8) Loss of Job
- (9) Impound and store personal property
- (10) Confiscate Contraband
- (11) Restrict to living unit
- (12) Reprimand
- (13) Warning
- 300 Indecent Exposure
- 301 Stealing (theft)
- 302 Misuse of authorized medication
- 303 Loss, misplacement or damage of a less restricted tool
- 304 Lending property or other item of value for profit / increased return
- 305 Possession of item(s) not authorized for receipt or retention, not issued through regular channels
- 306 Refusal to clean assigned living area
- 307 Refusing to obey a staff member Officer's order (may be categorized and charged as a greater or lesser offense depending on the kind of disobedience; continuing to riot is Code 105-Rioting, continuing to fight, Code 201-Fighting)
- 308 Insolence towards a staff member
- 309 Lying or providing false statement to staff
- 310 Counterfeiting, forging or other unauthorized reproductions of money or other official document, identification card, etc. (may be categorized a lesser offense, depending on the nature and purpose of the reproduction, e.g., counterfeiting release papers to effect escape – Code 102 or 200)
- 311 Participating in an unauthorized meeting or gathering

- 312 Being in an unauthorized area
- 313 Failure to stand count
- 314 Interfering with count
- 315 Making, possessing or using intoxicants
- 316 Refusing a breathalyzer test or other test of alcohol consumption
- 317 Gambling
- 318 Preparing or conducting a gambling pool
- 319 Possession of gambling paraphernalia
- 320 Unauthorized contact with public
- 321 Giving money or another item of value to or accepting money or another item of value from anyone, including another detainee, without staff authorization
- 322 Destroying, altering or damaging property (facility, government or another person's) worth less than \$100.00
- 323 Attempt to commit any of the above acts or assists other to commit any of the above acts.
- 398 Interfering with a staff member in the performance of duties (offense must be of high moderate severity.) This charge is to be used only when no other charge in this category is applicable.
- 399 Conduct that disrupts or interferes with the security or orderly operation of the facility duties (offense must be of high moderate severity). This charge is to be used only when no other charge in this category is applicable
- Any combination of high moderate and low moderate offenses during a 90-day period shall constitute a high offense

Category IV Offenses:

These are considered to be Category IV or Low Moderate Offenses. Any combination of the following penalties may be imposed:

- (1) Restitution
- (2) Loss of privileges
- (3) Change in Housing

Note: IDP must impose the above sanctions

- (4) Removal from Program / Activity
- (5) Loss of Job
- (6) Impound, store personal property
- (7) Confiscate Contraband
- (8) Restrict to living unit
- (9) Reprimand
- (10) Warning

- 400 Possession of property belonging to another person
- 401 Possessing unauthorized clothing
- 402 Malingering, feigning illness
- 403 Smoking
- 404 Using abusive or obscene language
- 405 Tattooing, body piercing or self mutilation
- 406 Unauthorized use of mail or telephone (with restriction or temporary suspension of the abused privileges often the appropriate sanction)
- 407 Conduct with a visitor in violation of rules and regulations (with restriction or temporary suspension of the abused privileges often the appropriate sanction)
- 408 Conducting a business
- 409 Possession of money or currency
- 410 Failure to follow safety and sanitation regulation
- 411 Unauthorized use of equipment or machinery
- 412 Using equipment or machinery contrary to posted safety standards
- 413 Being unsanitary or untidy, failing to keep self and living area in accordance with standards
- 414 Attempt to commit any of the above acts or assists other to commit any of the above acts
- 498 Interfering with a staff member in the performance of duties (offense must be of low moderate severity). This charge is to be used only when no other charge in this category is applicable
- 499 Conduct that disrupts or interferes with the security or orderly operation of the facility duties (offense must be of high moderate severity). This charge is to be used only when no other charge in this category is applicable
- When the prohibited act is interfering with a staff member in the performance of duties (Code 198,298,398 or 498) or conduct that disrupts (Code 199,299,399 or 499), the Disciplinary Committee should specify in its findings the severity level of the conduct, citing a comparable offense in that category. For example, "We find the act of the highest severity, most comparable to Code 213, "engaging in a group demonstration."

NOTE: Detainees who are released from Disciplinary Segregation will normally not be considered for a work assignment until they have shown a positive period of adjustment. Additionally, any disciplinary code conviction may affect a detainee's classification level.

APPEALS PROCESS

You may appeal the decision of the Disciplinary Hearing within fifteen days using the Detainee Appeal of Grievance to the Warden/ICE AFOD. The Grievance / Appeal must be presented in writing.

DETAINEE GRIEVANCE PROCEDURE

Detainee grievance forms are available electronically on the Smart Jail Mail system located in each housing unit. You have the right to request facility staff, another detainee, family member, legal representative or non-governmental organization assistance in preparing a grievance, although no detainee may submit a grievance on another detainee's behalf. Informal resolution of problems is encouraged. You have five (5) days in which to submit a grievance from the date of the incident or issue. All grievances are to be filed electronically. -Grievances will be viewed and responded to electronically, you will be able to view the status and add notes within the system. Grievances on the same subject to multiple sources will be returned without processing. The following items cannot be grieved; State and Federal law, National Fire Codes, National Detention standards, American Correctional Association Standards and policy concurrent with those statutes and standards.

You also have the right to pursue a grievance through formal channels. A grievance must address only one issue or closely-related issues occurring within a limited period of time. You **may** file an Informal Grievance and a Formal Grievance on the same issue at the same time. Doing so will result in both grievances being returned without processing. You must wait until each level in the grievance process is completed before submitting the issue to the next level (e.g. Detainee Informal Grievance Form (level 1)(Optional), Detainee Formal Grievance Form (level 2), Appeal to Detainee Grievance Committee Form (level 3), Detainee Appeal of Grievance to the Warden /ICE AFOD). Grievance Committee decisions may be appealed within five (5) days on a Detainee Appeal of Grievance to the Warden / ICE AFOD Form (Level 4). The Warden's / ICE AFOD's decision is final; it cannot be appealed.

An Emergency Grievance, which involves an immediate threat to your health or safety, will be given immediate attention by the Shift Supervisor, or through the chain-of-command, as necessary. An Emergency Grievance can be submitted on paper and be given to any staff member.

If you deem that the issue is sensitive or that your safety or well-being may be jeopardized if others in the facility learn of the grievance, you must describe in the grievance the reason for circumventing standard procedures, seal the grievance in an envelope clearly marked "sensitive" or "medically sensitive," and submit it directly to the facility administrator, administrative health authority or designee. Each grievance will be delivered by authorized facility personnel without being read, altered or delayed.

No detainee will be subjected to harassment, punishment or disciplinary action for seeking resolution of legitimate complaints in good faith. However, if you demonstrate a pattern of abusing the grievance system, resulting in unnecessary burdens at the expense of legitimate complaints, such grievances will be returned unprocessed. Continued abuse may result in adverse actions initiated against you. A copy of your grievance will be retained in your detainee file.

Medical Grievances: Medical grievances are to be filed electronically on the Smart Jail Mail system located in each housing unit. Grievances will be viewed by the Medical Administrative Staff and processed for resolution within five (5) business days, you will be able to view the status and add notes in the system. Emergency medical grievances should always be brought to the prompt attention of the Housing Unit Officer or any other staff member. He/she will immediately contact the Shift Supervisor for routing and/or resolution. Sensitive or confidential medical grievances can be submitted on paper in a sealed envelope, marked "sensitive" or "confidential", and then placed in the Medical Grievance Box found in the main hall way next to the pill line window. All copies of medical grievances will be retained in your medical file.

Appeal Process for Medical Grievances: Any appeal to a formal medical grievance should be routed to ICE Assistant Field Office Director (AFOD).

ALLEGATIONS OF STAFF MISCONDUCT

The Northwest Detention Center must forward detainee grievances alleging officer misconduct to ICE. ICE will investigate every allegation of officer misconduct.

You may also file a complaint about officer misconduct directly with the Department of Homeland Security by calling 1-800-323-8603/Speed Dial "518" or by writing to:

Department of Homeland Security
Office of Inspector General
245 Murray Drive S.E., Building 410
Washington, DC 20528

RECREATION FACILITIES

The facility provides recreational activities within the housing units in the form of cards and games that are available at no cost to you. Television viewing shall be available from the time morning cleaning duties are completed until lights out at 11:30 p.m. Television settings are controlled by the Officer in each living unit by remote control. The channel listing is approved providing appropriate language stations, posted in each housing unit and may be adjusted yearly by detainee consensus during the Annual TV Survey. Your issued FM radio is provided for television viewing.

Outdoor recreation equipment within the housing units is also available, including basketballs, etc. Hours are from 8:00 a.m. (if the housing unit is in acceptable condition according to the Pod Officer) until 9:30 p.m., daily.

F and G Pods recreate according to a recreation schedule and you must sign up 1 hour prior to your scheduled time to participate.

MARRIAGE REQUESTS

Detainees may request permission to marry by submitting an electronic "Detainee Request Form" (kite) to ICE. The request is to include an attachment that addresses the following information:

1. He/she is legally eligible to be married;
2. The intended spouse has affirmed, in writing, his/her intent to marry the detainee; and
3. Identify the arrangements that will be made, and by whom, for such items as, but not limited to, obtaining a marriage license, retaining an official to perform the marriage ceremony, etc.

Neither ICE nor NWDC staff will participate in making marriage arrangements or the ceremony. Any marriage request that is approved will occur within the NWDC.

If an approval to marry is revoked, a detainee may appeal that decision by submitting an electronic "Detainee Request Form" (kite) to ICE.

DETAINEE DRESS CODE

Detainees are required to keep themselves clean and wear proper clothing/footwear during all activities. Detainees are reminded that poor hygiene, poor sanitation and not wearing proper clothing and footwear can cause potential conflict with your peers and others and can have a negative impact on the health and safety of yourself and others. Failure to comply with the dress code and grooming standards will ultimately become an issue that requires staff intervention in the form of appropriate disciplinary action to correct the situation.

Detainee uniforms will be worn in the manner that is intended by the manufacturer. Altering detainee uniforms or wearing them in any manner other than the commonly accepted manner is prohibited. Undergarments may not be worn without outer garments or be visible in any way except in sleeping areas or restrooms. Pants will be worn at a point about the waist that prevents the exposure of undergarments or commonly covered parts of the anatomy. T-shirts are to be worn at

all times, except while at recreation or in the shower. Detainees are not to walk about the facility with their hands inside waistbands of pants, regardless of weather conditions. **No Exceptions!**

Ordinarily, detainees may wear any hairstyle with the following exceptions:

1. For safety and hygiene reasons, kitchen workers and detainee workers operating machinery will keep their hair in a neat, clean and commonly accepted style.
2. The hairstyle will not interfere with safety and hygiene requirements.
3. ALL kitchen workers or any detainee handling food will wear a hairnet, beard guard or hat (only) while working in the kitchen or serving food trays.
4. Ordinarily, facial hair may be grown without restriction with the following exceptions:
 - a. For safety and hygiene reasons, certain kitchen workers and detainee workers operating machinery are not authorized to wear facial hair and are expected to be clean shaven at all times while performing these duties.
 - b. These restrictions are a requirement for employment in the above-described functions and acceptance of the assignment denotes acceptance of the grooming standards.
 - c. There will be no exceptions to this requirement, including medical reasons.

LEGAL FILE

Immigration and Customs Enforcement maintains an immigration legal record, commonly called an "A" File, for each detainee. Your "A" File contains legal transactions and documentation related to your case, including but not limited to identification cards, photos, passports and records of your immigration history.

CUSTODY FILE

The NWDC maintains a detention record for each detainee. This custody file shall record no less than the following:

1. Facility disciplinary actions.
2. Behavior reports.
3. Funds, valuables and property receipts.
4. Detainee request forms, complaints and/or grievances.
5. Responses to the aforementioned.
6. Special housing unit records.
7. Classification documents

INFORMATION REGARDING STRESS AND DETENTION

If this is your first time detained, or if you feel like you are extremely stressed at this time, the following information may be helpful to help reduce the anxiety you feel.

A. DETENTION IS NOT PRISON

Detention is NOT prison. It may feel like you are in prison but this detention facility is a place to have you stay while it is determined whether you will be deported or be allowed to remain in the U.S. The officers are here to keep you and others safe. The tone of their voice or actions they must take can sometimes seem harsh if you have never been in an environment where there are many people. But sometimes this is necessary. Rules are important to keep order. They are not there to cause you unnecessary stress. Try not to take things personally.

B. LENGTH OF DETENTION

The court and the officers in charge of the facility do not want to keep you any longer than necessary in detention. Unfortunately, the court system and the legal process sometimes take awhile. Don't assume there is something wrong because you have not yet received your court date or if someone who arrived here after you has already been to court. There can be many reasons for this. Each person's circumstances are different. Please accept the fact that this is a PROCESS and a SYSTEM that does not move as quickly as you might want. Many of you spent a great deal of time and energy to get here and have been through many hardships. You are stronger than you think and you can cope.

C. THE PROCESS

At court you may have the opportunity to sign paperwork if you wish to return to your country and don't wish to stay. The judge will issue an "order of removal". The next step is an interview with your country's consulate. When the consulate verifies your citizenship and approves the paperwork, they will issue a travel document. Once the travel document is issued, the deportation process moves faster. The next step is for the flight to be booked to your country. Depending on the country and how many detainees are going to that country, the time for departure can vary until you leave. Be patient! However, if the court orders deportation and you appeal this decision; understand that you will be here longer.

D. STRESS AND SLEEP

Many of you may be having problems sleeping because you feel anxious, depressed or are worried about your family. Please understand that it is normal to have problems with sleep in this type of situation. While it may seem that medication to help you sleep is the answer, this is not true. Medication for sleep is a last resort, not a first choice. Pills do not give you restful sleep.

It is better to try to practice relaxation techniques such as deep breathing, meditation or muscle relaxation. (Ask medical clinic staff for copies of these handouts). You should also try to talk yourself through your anxiety. What this means is to change thoughts that make you feel worse to ones that are more realistic and hopeful. If you continue to have problems sleeping, you may wish to discuss this with your health care provider, by submitting a sick call request.

When you do feel anxious or stressed, remember that you are not alone. Talk to others in the dormitories who are positive and who seem to be coping. Avoid people who are negative and who tell you information that is not true. Don't get stressed about something that you can't control. Do the best you can, keep a positive attitude, and remember that your family would want you to be healthy while you are here. They would not want you to be so worried about them that you are not feeling well physically or emotionally.

E. WHEN TO SEEK HELP

Sometimes your stress may be more severe and relaxation techniques and thought changes aren't enough. If you are experiencing severe depression, anxiety, or are having some emotional problem that is making you feel that you cannot cope, please request to see the mental health provider by putting in a sick call slip. The mental health provider can help you cope with the stress that you are experiencing from being detained. However, the mental health provider is part of the medical staff and is NOT part of the Immigration Staff and cannot assist with court or legal matters. Also, mental health problems do not influence the court and the mental health provider is never involved in the court process. If you need information regarding court, deportation dates or other legal matters, you need to request to see your deportation officer.

If you are scheduled to see the social worker, you will be asked many questions in order to determine the best way to help you. You will be asked about your current problem, any past psychological or emotional problems, family information, your past and present alcohol and drug use, past and current medical problems, whether you have ever had or are currently having thoughts of hurting yourself or hurting someone else, any learning or memory problems, as well as other questions. This information is entered into your medical record and remains in the medical clinic.

After this evaluation, the mental health provider may provide education to help you cope, may offer short term individual counseling, or may refer for medications for psychological problems. (Not sleeping pills.)

F. WHAT YOU CAN DO TO HELP YOURSELF AND OTHERS

- Listen to others who are having difficulty and encourage them to keep busy and stay positive.
- Recognize what you HAVE control over, and what you don't have control over. You have control over your thoughts and your reactions. You are not powerless. Don't waste your energy on those things that you do not have control over.
- Attend religious activities or recreational activities and encourage others to attend also.
- Remember that the choices you have made have consequences — the harsh reality is that if you came here illegally, or were legal but got into trouble, detention is part of the process.

- Take personal responsibility for your actions and remember that you are stronger than you think.
- Remember that your family would want you to be healthy. If you don't take care of your stress and anxiety, you are hurting your physical health. Stress can cause headaches, stomach aches, muscle aches, etc. Long-term stress can affect your heart and your immune system.

G. THE CONNECTION BETWEEN FEELINGS, THOUGHTS AND ACTIONS:

Remember that a **SITUATION** doesn't make you **FEEL** any certain way. It is your **THOUGHTS** that make you feel the way you do. The fact that you are in detention does not mean you **MUST** feel anxious, worried, or depressed. It is your negative thoughts about your situation that make you feel bad. This does not mean that your situation is good; it just means that every day you can make a **CHOICE** to be happy and positive. Look at it this way, worrying and feeling bad will not change the fact that you are in detention. But you can be here and decide to focus on positive thoughts and do positive actions. Try to learn something new each day, or try to do something positive for someone else. When you take these **ACTIONS**, you will **FEEL** better.

H. EMERGENCIES

If you or someone in your dormitory has made statements of wanting to hurt yourself or hurt someone else, notify the security officer immediately. **Do not keep this information to yourself.** Or if you feel like someone in your dormitory is in real danger of being hurt by someone else, again, let the security officers know immediately.

RIGHTS AND RESPONSIBILITIES

1. You have the right to be informed of the rules, procedures and schedules concerning the operation of the facility.
You have the responsibility to know and abide by them.
2. You have the right to freedom of religious affiliation and voluntary religious worship.
You have the responsibility to recognize and respect the rights of others in this regard.
3. You have the right to healthcare which includes nutritious meals, proper bedding and clothing, a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical treatment.
It is your responsibility not to waste food, to follow laundry and shower schedule, to maintain neat and clean living quarters, and to seek medical care as needed.
4. You have the right to have family members and friends visit with you in keeping with the facility rules and schedules.
It is your responsibility to conduct yourself properly during visits and to not accept or pass contraband.
5. You have the right to unrestricted and confidential access to the courts by correspondence.
You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.
6. You have the right to legal counsel from an attorney of your choice by means of interviews and correspondence at no cost to the United States Government.
It is your responsibility to obtain the services of an attorney honestly and fairly.
7. You have the right to have access to reading material for your own enjoyment.

It is your responsibility to seek and utilize such material for your personal benefit, without depriving others of the same benefit.

8. You have the right to participate in the use of the law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.

It is your responsibility to use those resources in keeping with the procedures and schedule prescribed and to respect the rights of other detainees to the use of the material.

9. You have the right to a wide range of reading material for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the publishers.

It is your responsibility to seek and utilize such material for personal benefit, without depriving others of their equal rights to the use of this material.

10. You have the right to participate in a work program as far as resources are available, and in keeping with your interests, needs and abilities.

You have the responsibility to take advantage of activities which may help you live a successful and abiding life within the facility and in the community. You will be expected to abide by the regulations governing the use of such activities.

11. You have the right to an administrative hearing before an Immigration Judge to determine your status in the United States.

It is your responsibility to seek and provide evidence for your defense.

12. If you are not an exclusion case and eligible, you have the right to be released on bond until your scheduled administrative hearing.

It is your responsibility to seek methods of payment for your bond.

13. You have the right to apply for political asylum if you believe that you will be persecuted because of your race, religion, nationality, membership in a social group or political opinion.

It is your responsibility to prepare and submit the proper forms accurately.

14. You have the right to request voluntary departure, if statutorily eligible, prior to a hearing but if you request voluntary departure, you waive the right to a hearing.

It is your responsibility to inform an ICE Officer that you request voluntary departure.

This handbook is designed to provide you with a general overview of facility procedures and services and describe prohibited acts and associated penalties. Every potential question and/or eventuality cannot be addressed completely in this format. Any questions or concerns should be directed to your dormitory officer. You may contact a supervisor or ICE officer by completing a detainee request form at any time.

IMMIGRATION HEALTH SERVICES CORP



MEDICAL ORIENTATION AND HEALTH INFORMATION

Welcome!

The medical clinic here will provide you with quality medical care.

Except for very rare medical reasons, medical staff will NOT give you comfort items or items such as special shoes, extra blankets, extra pillows, jackets, soap or deodorant. Only one mattress is authorized for safety reasons, please do not request an extra mattress. Some detainees are assigned a lower bunk or lower tier by their doctor for certain medical conditions that make it difficult or impossible to climb onto the upper bunk or walk up stairs.

Medical staff also cannot answer any questions about your case, your court date or your legal situation. Ask your deportation officer these questions.

General Overview of Services We Provide

Arrival - Soon after you arrive here, we will ask you some medical questions and perform a chest x-ray or tuberculin skin test to see if you have been exposed to someone with tuberculosis. This is important for the health and safety of everyone.

There are many diseases that can be spread through blood and body fluids. Do not share personal items such as toothbrushes, razors or hair combs. If you have an open cut or wound cover it with a bandage. Engaging in sexual acts in which body fluids are exchanged is not only prohibited but dangerous. Testing for sexually transmitted diseases, including HIV, is available. If you feel you need to be tested please speak to one of the medical providers.

Physical Exam – Within the first 14 days of your stay here, you will receive a physical exam.

Sick call- For men and women sick call is conducted 7 days per week at 5:30 AM. When controlled movement is announced, **female detainees** wishing to be seen by the nurse will be directed to proceed to the designated sick call location. The nurse will see patients one at a time. The RN assesses the detainee sick call complaint and based on severity of illness will be scheduled for treatment the same day. **After all females have been seen and returned to their dorms, the same process will be conducted for males and treated the same morning.** Designated **Level 3, detainees** will be directed to a sick call location that is separate from the general population. The same sick call process will be completed. On holidays and weekends, sick call will be conducted in the same manner but only emergent same day appointments will be granted.

Emergency Services:

1. If you are having dental pain, or swelling. Routine care like dental cleanings will not be done unless you are here for more than 12 months.
2. If you are feeling overwhelmed, or have thoughts of hurting yourself, or feel like you might hurt someone else, let an officer or a medical staff member know immediately and you will be seen.
3. Emergency care is provided 24 hours a day. If you have a medical emergency, contact any staff member and immediate medical care will be provided as needed.

Additional Services

If needed, other services may include medications, lab tests, x-rays, education and counseling, and regular appointments for serious medical conditions.

Women's Services

Routine age-appropriate services such as (but not limited to) pelvic and breast exams, mammograms, gynecological testing, abortions and contraception are available. Please speak with a medical provider regarding any of these services.

Medical Records: If you would like a copy of your medical record from this facility you may request it at any time by completing the Freedom of Information Act (FOIA) G-639 Form. Please go to sick call to complete the request. Medical records will copy your record, including any records we have received from any outside providers and call you to the clinic to pick them up. Medical record staff have 20 working days to process your request.

Medical Complaints/Grievances - If you are not happy with the care you receive, talk to the medical provider. Remember that some types of care or services are not available. If you are still unhappy and it is care that the facility provides, you have the right to complete a grievance using Smart Jail Mail system. Please do not use the grievance process to access medical care. Medical care can be accessed using the sick call process

Emotional Difficulties

It is normal to feel emotions like sadness, depression, anxiety, nervousness, anger and fear in this environment. It is also normal to have problems sleeping. Try to remember that you will not be in detention forever. Think about ways to keep busy, to stay calm, and to stay healthy. Read, talk to people, play a game, exercise, go to religious activities, or practice some relaxation techniques. A medical provider can give you some information on stress management.

Non Violence

1. This facility will not permit any type of physical or sexual abuse. If someone physically or sexually assaults you, tell an officer or medical staff immediately.
2. Disciplinary measures will be taken against anyone who physically or sexually assaults someone else in the facility.

Getting Along with Others

You have to share living space with a lot of people so it is important to be considerate and to recognize that others are different.

1. Don't be so loud that others can't enjoy their activities. Be quiet at night so other people can sleep.
2. Avoid people who like to cause problems or fight.

Medications

1. Do not share any medications with others.

Dangers of self-medication: Using medications prescribed to someone else is strongly discouraged and prohibited in the facility. Self-medication, defined as the use of medicines by individuals to treat self-recognized or self-diagnosed illnesses or symptoms, poses several potential risks. Dangers include: incorrect self-diagnosis, delays in seeking medical care when needed, severe adverse reactions including life threatening allergies, harmful drug or food interactions, incorrect dosage, incorrect choice of therapy, masking a severe disease, and risk of dependence and abuse.

2. If your medicine is causing you problems such as a rash, itching, trouble breathing or diarrhea, let an officer or the medical staff know immediately, and stop taking the medicine.
3. Keep your medicine with you at all times. Do not lose your medication.

Proper Shoes and Clothes

1. Wear shoes at all times.
2. If you are wearing closed shoes, wear socks.
3. Wear shower shoes in the shower.
4. Wear proper clothing for the weather.

Toilet Use

1. Please do not stand on the toilet. Sit on the toilet seat and flush the toilet after using it.
2. Put all used toilet paper into the toilet then flush.
3. Females- Please put used Kotex pads or tampons in the garbage cans and not into the toilet.

Hand Washing - Germs can make you sick, and germs can be passed through hand contact. Washing your hands will help keep you from getting sick.

1. Make sure you run the water in the sink and use soap to wash your hands.
2. Wash each finger and rub your hands together, washing both sides of your hands with soap and water. Clean under your finger nails also.
3. Wash hands before eating, after going to the bathroom, after playing or working outside, or after being near a sick person.

Showering/Personal Care

1. Take a shower every day (when possible) and use soap and water.
2. Bathe only in the shower; do NOT bathe in the sinks. Don't urinate (pee) in the shower.
3. Use the sinks to wash your hands or face, to shave your face, or to brush your teeth.
4. Do not shave your head or private areas. Do not share your razor with others.
5. Do not pierce any part of your body.
6. Use a deodorant every day.
7. Do not leave any clothes in the bathroom.

Bed Safety

1. Do not jump down from the top bunk or up to the top bunk.
2. Take your time when getting into and out of bed. Make sure you step on a solid area of the floor with the large portion of your foot.
3. Lower your head when getting out of bed if you sleep on a lower bunk.
4. If you fall out of bed at any time notify the officer in the barracks so that you can be examined in the medical clinic.

Good Health

1. In hot weather, stay in the shade during the hottest part of the day and drink lots of water throughout the day. If your urine (pee) is very dark, you probably aren't drinking enough water, so drink more.
2. Eat 3 good meals a day. Be sure to eat fruits and vegetables. Don't eat too much candy.
3. Try to exercise at least 30 minutes every day. Play sports, walk around, run in place or do pushups. If you haven't exercised in a long time, do some light stretching or slow jogging to warm up and prevent injuries.
4. Try to sleep at least 8-10 hours a night.
5. Cover your mouth with your hand when you cough or sneeze and do not spit on the ground or floor. This spreads germs that can make other people sick.
6. Smoking is not allowed. Think of this as your chance to quit smoking forever. It is one of the best things you can do for your health.
7. Smoking Cessation: See Medical Provider for information on this subject.

IHSC STAYING HEALTHY**What is a cold?**

A cold is a virus. There is no cure for it and there are no pills or shots that kill the virus. You may not feel good, but it is not an emergency. You will usually feel better in 1-2 weeks.

When you have a cold, you may:

- cough (might be worse at night)
- have a sore throat or fever
- have a stuffy nose or runny nose
- have a headache or body aches
- feel tired or irritable
- not feel like eating.

To feel better you should:

- Drinks lots of water or juice.
- Get lots of rest and sleep.
- Take acetaminophen if you have a slight fever.
- If you have a sore throat, you can gargle with warm salt water every 2 hours.

You should let medical staff know if:

- you have trouble breathing
- what you are coughing up (your spit) is green or yellow

To help stop other people from getting your cold:

- Cover your mouth when you cough.
- Sneeze into a tissue or toilet paper.
- Spit into a tissue or toilet paper, NOT into the garbage can or sink.
- Wash your hands often.

What is the flu?

The flu is an infection that is caused by a virus. After you come into contact with the virus, you will usually start to feel bad in 24-48 hours. Antibiotics like penicillin do not cure the flu because they don't kill viruses.

When you have the flu, you may:

- have chills and a medium to high fever
- have muscle aches or a backache
- have a cough, but usually with little or no stuff being coughed up in your spit
- have a sore throat, runny nose, headache, or if you feel very tired.

To feel better, you can:

- take acetaminophen (don't take aspirin) or a cough syrup or decongestant
- get plenty of rest
- Drink lots of water, fruit juice and tea.
-

You should let medical staff know if you have:

- a high fever or a strong cough
- blood in your spit
- trouble breathing
- have neck pain/stiffness or severe headaches
- sinus pain (head and nose area)
- thick stuff coming from your nose, sinuses or ears, or an earache

To help stop other people from getting your flu:

- Cover your mouth when you cough
- Spit into a tissue NOT into the garbage can or sink.
- Wash your hands often.

What is insomnia?

Insomnia means you are not getting enough sleep. You may have a problem getting to sleep, or you may wake up often during the night. It is very normal that you and others have problems sleeping while in detention.

Some causes of sleep problems:

- worrying about family and money
- worrying about your legal situation
- living with many other people that you don't know and who make noise when you are trying to sleep
- feelings like sadness or fear
- sleeping during the day and then not being able to sleep at night.

There are things you can do to help you sleep:

- Get up every day at the same time.
- Don't lie in bed or sleep during the day.
- Don't drink anything with caffeine (coffee, chocolate, cocoa).
- Exercise in the morning or afternoon.
- Eat healthy food. Don't eat late at night.
- Practice relaxation exercises like deep breathing, meditation or quiet reading.

How do I stay healthy in hot weather?

It is important to keep water in your body when it is hot. Your body needs lots of water to stay healthy. In hot weather, you sweat and lose water from your body. This can:

- make you feel dizzy
- make your mouth and tongue dry and sticky
- make your urine (pee) darker
- urinate (pee) less often

If you feel thirsty, this means you already don't have enough water in your body. Drink water in hot weather even when you don't feel thirsty.

To avoid getting sick in hot weather:

- drink lots of water all day long
- if you are playing sports, drink extra water
- stay in the shade during the hottest part of the day
- wear loose clothing
- if you start to feel dizzy, sit down in the shade or indoors
- don't stay in the sun for too long

You should let medical staff know if:

- you feel weak or dizzy every time you stand up
- you urinate (pee) very little

IHSC DENTAL POLICY

A. SICK CALL

Urgent dental care is available daily to address toothaches and acute dental issues. Some examples include treatment for the relief of tooth pain, elimination of infection and swelling, and repair of trauma to teeth. If you require emergency dental treatment for any of these conditions report to sick call any morning at 0530 for evaluation.

Please do NOT use the sick call system to request routine dental care such as cleanings or check-ups. Sick call is intended for urgent dental problems only.

B. ROUTINE EXAM AND CLEANING

A routine dental exam will occur at least yearly and may occur more often depending on your health status. Any routine dental needs identified during the exam may be provided as clinical resources permit such as permanent fillings, cleanings, extractions, select root canals on front teeth, x-rays, and the repair/adjustment of existing dentures. Urgent dental care will take priority over routine care.

Full mouth reconstruction and rehabilitation are not ordinarily covered services and examples of this type of care include the following:

- Fixed prosthodontics (crowns, bridges, implants, etc)
- Removable prosthodontics (partial and complete denture)
- Orthodontics
- Cosmetics (bleaching, front tooth bonding in the absence of pain or infection)
- Esthetic reconstructive jaw surgery
- Mouth guards

C. ORAL HEALTH EDUCATION

Bleeding gums are the first sign of the oral infection called periodontal disease. The first stage of the disease is called gingivitis. This is when your gums become tender and start to bleed due to a buildup of bacteria on your teeth and gums. This bacterial build up is called plaque, and it will cause both cavities and gum infections if it is not removed daily by brushing and flossing. We all know a buildup of plaque will also cause bad breath. Brushing and flossing twice daily will remove the bacterial plaque and help to keep your teeth and gums healthy. YOU can prevent dental problems with good oral hygiene. If your gums are tender and bleeding it is an early sign that you need to brush your teeth more often, and if you begin brushing and flossing right away the bleeding and tenderness will go away after about a week of good oral hygiene.

If you do not brush and floss your teeth bacterial plaque will continue to grow and start to gather in between your teeth and gums. When the bacterial plaque begins to grow and collect in your mouth it can destroy the gums, tissues, and bone that support your teeth. The bacteria in the plaque can cause your teeth sensitivity and make them loose. This stage of gum infection is called periodontitis. Damage to your gums and bone will not reverse but you can usually still save your teeth and maintain your oral health if you improve and begin regular brushing and flossing along with regular visits to the dentist for special cleanings.

If the gum infection has been a problem you have had a long time, a few years, and plaque has been allowed to continue to build up on the teeth and gums, the teeth will become very loose, painful, and may need to be pulled out by a dentist. At this stage there is too much damage to repair. No one wants to lose their teeth, so brush and floss daily. Keeping your mouth clean can affect your overall health, ability to eat well, heart health, many chronic diseases, and self-esteem.

D. ORAL HYGIENE

Using a soft bristle toothbrush with fluoride toothpaste start on your

1) Outside front teeth:

Open your mouth, keep mouth open as you brush, not clenched teeth touching. Hold toothbrush at an angle where the teeth and gums meet, brushing upward into the gums. Move the toothbrush gently in a circular motion while also moving the toothbrush sideways using short strokes.

2) Inside and outside surfaces of back teeth:

Use short angled, circular brush strokes brushing both the teeth and gums

3) Inside surfaces of front teeth:

Hold brush flat on inside surface and brush back and forth holding the toothbrush up straight not side to side. Don't forget to brush your tongue. Your tongue is a hiding place for the bacteria that cause cavities, gum disease and bad breath.

E. BRUSHING YOUR TEETH and GUMS HARD CAN CAUSE PERMANENT DAMAGE! BE CAREFUL!

Helpful Hints:

Brush two or three times a day for at least 2 minutes each time you brush. Make sure you brush all surfaces of your teeth.

Use toothpaste containing fluoride to help fight tooth decay.

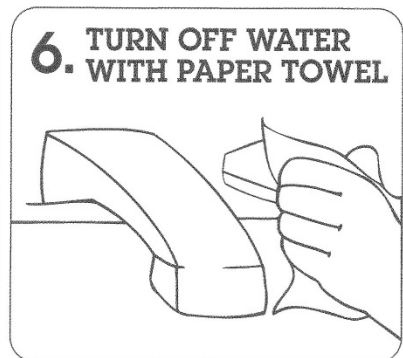
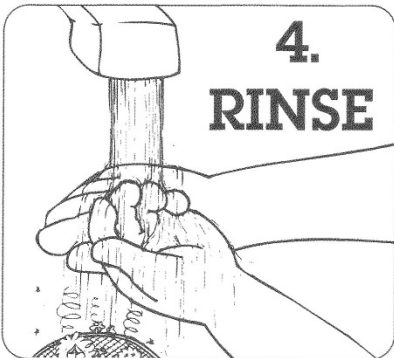
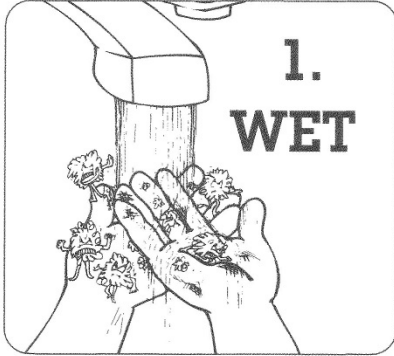
Use dental floss to clean between your teeth every time you brush. The toothbrush does not clean between your teeth. If you don't floss between your teeth stay dirty, you will miss 35% of all your tooth surfaces. Dental cavities and gum disease can begin to occur.

General

1. If you brush your hair over the sink, remove any fallen hairs from the sink.
2. Throw trash into the garbage cans. Don't throw it on the floor.
3. Throw disposable diapers into the trash. Do not throw them on the floors or into the toilets.
4. Do not leave crumbs from food in your housing area because it will bring ants and other insects



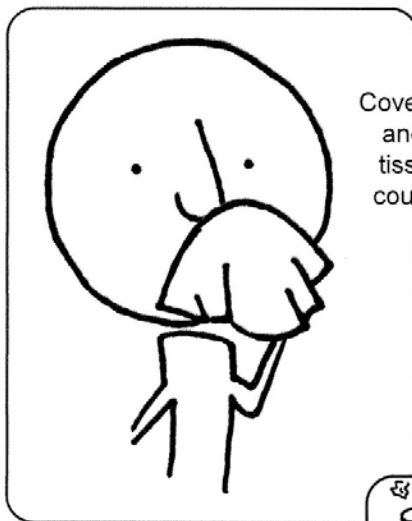
Be a Germ-Buster... **WASH YOUR HANDS!**



For persons with disabilities, this document is available on request in other formats.
Please call 1-800-525-0127 (TDD relay 1-800-833-6388).

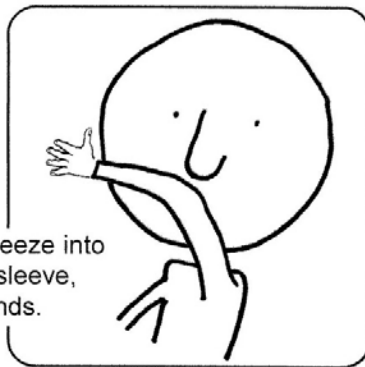
Stop the spread of germs that make you and others sick!

Cover your Cough



Cover your mouth
and nose with a
tissue when you
cough or sneeze

or
cough or sneeze into
your upper sleeve,
not your hands.



Put your used tissue in
the waste basket.

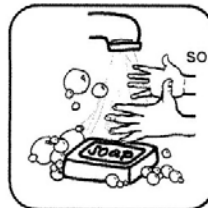


You may be asked to
put on a surgical mask
to protect others.



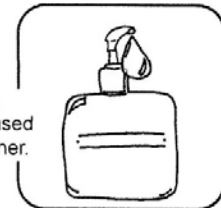
Clean your Hands

after coughing or sneezing.



Wash with
soap and water

or
clean with
alcohol-based
hand cleaner.



Minnesota Department of Health
625 N Robert Street, PO Box 64975
St. Paul, MN 55164-0875
651-201-5414 TDD/TTY 651-201-5797
www.health.state.mn.us



ASSOCIATION FOR PROFESSIONALS IN
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EXHIBIT 6



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and Customs
Enforcement

Report Crimes: Email or Call 1-866-DHS-2-ICE

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2011 Operations Manual ICE Performance-Based National Detention Standards

[ERO](#)[PBND 2011](#)[2016 Revisions](#)

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In keeping with its commitment to reform the immigration detention system, U.S. Immigration and Customs Enforcement (ICE) has revised its detention standards. These new standards, known as Performance-Based National Detention Standards 2011 (PBND 2011), represent an important step in detention reform.

PBND 2011 reflects ICE's ongoing effort to tailor the conditions of immigration detention to its unique purpose while maintaining a safe and secure detention environment for staff and detainees. In developing the revised standards, ICE incorporated the input of many agency employees and stakeholders, including the perspectives of nongovernmental organizations and ICE field offices. PBND 2011 is crafted to improve medical and mental health services, increase access to legal services and religious opportunities, improve communication with detainees with limited English proficiency, improve the process for reporting and responding to complaints, and increase recreation and visitation.

In 2016, ICE revised a number of the detention standards to ensure consistency with federal legal and regulatory requirements as well as prior ICE policies and policy statements. The detention standards contained on this website represent the updated version of the standards.

Click on a heading below to view specific information for each topic.

[Expand All](#) [Collapse All](#)

Part 1 - Safety



Part 2 - Security



Part 3 - Order



Part 4 - Care



Part 5 - Activities



Part 6 - Justice



Part 7 - Administration and Management



Related Information

[Detention Management](#)

[Detainee Facilities](#)

[View the complete PBND 2011](#)

[Family Residential Standards](#) ➔

[2008 PBND](#) ➔

[2000 Detention Standards](#) ➔

1.2 Environmental Health and Safety

I. Purpose and Scope

This detention standard protects detainees, staff, volunteers and contractors from injury and illness by maintaining high facility standards of cleanliness and sanitation, safe work practices and control of hazardous substances and equipment.

This detention standard applies to the following types of facilities housing ICE/ERO detainees:

- Service Processing Centers (SPCs);
- Contract Detention Facilities (CDFs); and
- State or local government facilities used by ERO through Intergovernmental Service Agreements (IGSAs) to hold detainees for more than 72 hours.

Procedures in italics are specifically required for SPCs, CDFs, and Dedicated IGSA facilities. Non-dedicated IGSA facilities must conform to these procedures or adopt, adapt or establish alternatives, provided they meet or exceed the intent represented by these procedures.

Various terms used in this standard may be defined in standard “7.5 Definitions.”

II. Expected Outcomes

The expected outcomes of this detention standard are as follows (specific requirements are defined in “V. Expected Practices”).

1. Facility cleanliness and sanitation shall be maintained at the highest level.
2. Compliance with all applicable federal, state and local safety and sanitation laws shall be ensured by documented internal and external inspections, and by corrective action when indicated.
3. Compliance with all applicable fire safety codes

and fire safety performance requirements for facility furnishings shall be ensured.

4. Flammable, poisonous, toxic and caustic materials shall be controlled and used in a safe manner.
5. Compliance with fire prevention regulations, inspection requirements and other practices, including periodic fire drills, shall ensure the safety of detainees, staff and visitors.
6. Staff shall be knowledgeable about procedures and responsibilities during emergency situations, including those that require evacuation, in accordance with a written plan and with training at least annually.
7. The facility shall have a written plan for immediate release of detainees from locked areas, and provisions for a back-up system.
8. A sufficient number of properly positioned emergency exits, clear from obstruction, shall be distinctly and permanently marked.
9. Plans shall include procedures for assisting detainees with special needs during an emergency or evacuation.
10. Preventive maintenance and regular inspections shall be performed to ensure timely emergency repairs or replacement and to prevent dangerous and life-threatening situations.
11. Potential disease transfer shall be minimized through proper sanitization of barbering equipment and supplies.
12. Pests and vermin shall be controlled and eliminated.
13. Safe, potable water shall be available throughout the facility.
14. Emergency lighting and life-sustaining equipment shall be maintained and periodically tested.
15. Disposal of garbage and hazardous waste shall be in compliance with applicable government

regulations.

16. The facility shall provide communication assistance to detainees with disabilities and detainees who are limited in their English proficiency (LEP). The facility will provide detainees with disabilities with effective communication, which may include the provision of auxiliary aids, such as readers, materials in Braille, audio recordings, telephone handset amplifiers, telephones compatible with hearing aids, telecommunications devices for deaf persons (TTYs), interpreters, and note-takers, as needed. The facility will also provide detainees who are LEP with language assistance, including bilingual staff or professional interpretation and translation services, to provide them with meaningful access to its programs and activities.

All written materials provided to detainees shall generally be translated into Spanish. Where practicable, provisions for written translation shall be made for other significant segments of the population with limited English proficiency.

Oral interpretation or assistance shall be provided to any detainee who speaks another language in which written material has not been translated or who is illiterate.

III. Standards Affected

This detention standard replaces “Environmental Health and Safety” dated 12/2/2008.

IV. References

American Correctional Association, *Performance-based Standards for Adult Local Detention Facilities*, 4th Edition: 4-ALDF-1A-01, 1A-02, 1A-03, 1A-07, 1A-14, 1A-15, 1A-16, 1A-17, 1A-18, 1A-19, 1A-20, 1C-01, 1C-02, 1C-03, 1C-04, 1C-05, 1C-07, 1C-08, 1C-09, 1C-10, 1C-11, 1C-12, 1C-13, 1C-14, 1C-15, 4B-07, 4C-18.

Occupational Safety and Health Administration

(OSHA) Regulations.

NFPA Standards.

U.S. Public Health Service Report on Carcinogens.

V. Expected Practices

A. Environmental Health and Safety

1. General Environmental Health

Environmental health conditions shall be maintained at a level that meets recognized standards of hygiene, including those from the:

- a. American Correctional Association;
- b. Occupational Safety and Health Administration;
- c. Environmental Protection Agency;
- d. Food and Drug Administration;
- e. National Fire Protection Association’s Life Safety Code; and
- f. National Center for Disease Control and Prevention.

The facility administrator designee for environmental health is responsible for developing and implementing policies, procedures and guidelines for the environmental health program that are intended to identify and eliminate or control as necessary, sources of injuries and modes of transmission of agents or vectors of communicable diseases.

The facility administrator designee shall:

- a. conduct special safety investigations and comprehensive surveys of environmental health conditions; and
- b. provide advisory, consultative, inspection and training services regarding environmental health conditions.

For the medical clinic, the health services administrator or equivalent is responsible for:

- a. implementing a program that assists in

maintaining a high level of environmental sanitation; and

- b. providing recommendations to the facility administrator concerning environmental health conditions, in consultation with the environmental health designee.

2. Staff and Detainee Safety

The facility administrator shall ensure that adequate provisions are made for staff and detainee safety, in accordance with these detention standards and applicable law. Standard “7.3 Staff Training” further addresses employee training-related issues. Standard “5.8 Voluntary Work Program” addresses detainee training issues for workers. Detainees shall receive safety instruction as necessary for living area-related assignments, such as working with cleaning products to clean general use areas.

Detainee living area safety shall be emphasized to staff and detainees to include providing, as noted in the standards, a housekeeping plan. For example, when there are safety concerns with a detainee sleeping in a top bunk that is not along a wall and that has no bed rail, accommodations shall be made to ensure safety. (Because of the potential safety risk they pose, bed rails are not common in detention settings except for medical housing units.) In locations where ladders are unavailable, alternate accommodations, such as the use of bottom bunks or the addition of a ladder or step, shall be made for detainees on a case-by-case basis. Detainees who have medical or physical problems that may be aggravated by sleeping on a top bunk shall be referred to the medical unit for consideration of a lower bunk permit.

3. General Housekeeping

The facility administrator shall ensure that staff and detainees maintain a high standard of facility sanitation and general cleanliness. When possible, the use of non-toxic cleaning supplies is recommended.

- a. All horizontal surfaces shall be dampdusted daily

with an approved germicidal solution used according to the manufacturer’s directions.

- b. Windows, window frames and windowsills shall be cleaned on a weekly schedule.
- c. Furniture and fixtures shall be cleaned daily.
- d. Floors shall be mopped daily and when soiled, using the double-bucket mopping technique and with a hospital disinfectant-detergent solution mixed according to the manufacturer’s directions.
- e. A clean mop head shall be used each time the floors are mopped.
- f. Waste containers shall weigh less than 50 lbs., be non-porous and lined with plastic bags; the liner shall be changed daily.
- g. Waste containers shall be washed weekly at a minimum, or as needed when they become soiled.
- h. Cubicle curtains shall be laundered monthly or during terminal cleaning following treatment of an infectious patient.

4. Pests and Vermin

The facility administrator shall contract with licensed pest-control professionals to perform monthly inspections to identify and eradicate rodents, insects and other vermin. The contract shall include a preventive spraying program for indigenous insects and a provision for callback services as necessary. Doors to the outside should be tight fitting and door sweeps should be installed to prevent the entry of vermin from outside.

5. Certification of Facility Water Supply

At least annually, a state laboratory shall test samples of drinking and wastewater to ensure compliance with applicable standards. A copy of the testing and safety certification shall be maintained on site.

6. Emergency Electrical Power Generator

At least every two weeks, emergency power generators shall be tested for one hour, and the oil,

water, hoses and belts of these generators shall be inspected for mechanical readiness to perform in an emergency situation.

Power generators are to be inspected weekly and load-tested quarterly at a minimum, or in accordance with the manufacturer's recommendations and instruction manual.

Technicians shall check starting battery voltage, generator voltage and amperage output at a minimum, and shall perform all other necessary checks as well.

Other emergency equipment and systems shall be tested quarterly, and all necessary follow-up repairs or replacement shall be performed as soon as feasible.

7. Garbage and Refuse

- a. Garbage and refuse includes all trash, rubbish and other putrescible and non-putrescible solid waste, except the solid and liquid waste discharged into the sanitary sewer system of the facility.
- b. Garbage and refuse shall be collected and removed from common areas at least daily to maintain sanitary conditions and to avoid creating health hazards.
- c. Facilities shall comply with all federal, state and local environmental regulations and requirements governing methods for handling and disposing of refuse.

B. Hazardous Materials

Every facility shall establish a system for storing, issuing, using and maintaining inventories of and accountability for hazardous materials. The facility program shall be supervised by an individual trained in accordance with OSHA standards. The effectiveness of any such system depends not only on written policies, procedures and precautions, but also on adequate supervision and responsible behavior of staff and detainees, including following instructions precisely, taking prescribed precautions

and using safety equipment properly.

A list of common flammable, toxic and caustic substances is included at the end of this detention standard as "Appendix 1.2.A: Common Flammable, Toxic and Caustic Substances."

1. Personal Responsibility

Every individual who uses a hazardous substance must:

- a. be trained in accordance with OSHA standards;
- b. be knowledgeable about and follow all prescribed precautions;
- c. wear personal protective equipment when indicated; and
- d. promptly report hazards or spills to the designated authority.

2. Protective Equipment

- a. Protective eye, face, and other appropriate equipment (such as footwear, gloves, gowns, and/or aprons) is required where there is a reasonable probability of injury preventable by such equipment. Areas of the facility where such injuries can occur shall be conspicuously marked with eye-hazard warning signs.
- b. Eyewash stations that meet OSHA standards shall be installed in designated areas throughout the facility, and all employees and detainees in those areas shall be instructed in their use.

3. Inventories

Every area shall maintain a current inventory of the hazardous substances (e.g., flammable, toxic or caustic) used and stored there. Inventory records shall be maintained separately for each substance. Entries for each shall be logged on a separate card (or equivalent), and filed alphabetically by substance. The entries shall contain relevant data, including purchase dates and quantities, use dates and quantities and quantities on hand.

4. Material Safety Data Sheet Files

- a. Every department or other area of the facility using hazardous substances shall maintain a file of Material Safety Data Sheets (MSDS) that includes a list of the locations where hazardous substances are stored, along with a diagram and legend of these locations. Designated staff from each department or area shall provide a copy of each file to the maintenance supervisor.
- b. MSDS are produced by manufacturers and provide vital information on individual hazardous substances, including instructions on safe handling, storage and disposal; prohibited interactions; etc.
- c. Staff and detainees shall have ready and continuous access to the MSDS for the substances with which they are working. Staff and detainees who do not read English shall not be authorized to work with these materials.
- d. Because changes in MSDS occur often and without notice, staff must:
 - 1) review the latest issuance from the manufacturers of the relevant substances;
 - 2) update the MSDS files as necessary; and
 - 3) forward any changes to the maintenance supervisor, so that the copy is kept current.

5. Master Index

The maintenance supervisor or facility administrator designee shall compile:

- a. a master index of all hazardous substances in the facility and their locations;
- b. a master file of MSDS; and
- c. a comprehensive, up-to-date list of emergency phone numbers (e.g., fire department, poison control center, etc.).

The maintenance supervisor shall maintain this information in the safety office (or equivalent) and ensure that a copy is sent to the local fire department.

6. General Guidelines Regarding Hazardous Substances

- a. Issuance
Flammable, caustic and toxic substances (hazardous substances) shall be issued (i.e., drawn from supply points to canisters or dispensed) only under the supervision of the designated officer.
- b. Amounts
Hazardous substances shall be issued in single-day increments (the amount needed for one day's work).
- c. Supervision
Qualified staff shall closely monitor detainees working with hazardous substances.
- d. Accountability
Inventory records for a hazardous substance must be kept current before, during and after each use.

7. Flammable and Combustible Liquids

- a. As required by the Federal Hazardous Substances Labeling Act, any liquid or aerosol labeled "flammable" or "combustible" must be stored and used as prescribed on the label.
- b. Lighting fixtures and electrical equipment installed in flammable liquid storage rooms must meet National Electrical Code requirements in hazardous locations.
- c. Every hazardous material storage room shall:
 - 1) be of fire-resistant construction and properly secured;
 - 2) have self-closing fire doors at each opening;
 - 3) be constructed with either a four-inch sill or a four-inch depressed floor; and
 - 4) have a ventilation system (mechanical or gravity flow), which provides at least six air changes per hour, within 12 inches of the floor.
- d. Every storage cabinet shall:

- 1) be constructed according to the applicable code and securely locked at all times;
 - 2) be clear of open passageways, stairways and other emergency exit areas;
 - 3) be conspicuously labeled: “Flammable—Keep Fire Away”; and
 - 4) contain not more than 60 gallons of Class I or Class II liquids, or more than 120 gallons of Class III liquids.
- e. Storage rooms and cabinets may be entered only under secure conditions and under the supervision of authorized staff.
- f. Any portable container that is not the original shipping container must be designated as an approved safety canister, and must be listed or labeled by a nationally recognized testing laboratory. Each container shall bear a legible label that identifies its contents.
- g. Excess liquids shall remain in original containers, tightly closed, in the storage room or cabinet.
- h. The MSDS shall govern use of particular flammable or combustible liquids.
- i. Only authorized staff may dispense flammable and combustible liquids, using acceptable methods for drawing from or transferring these liquids.
- j. Drawing from or transferring any of these liquids into containers indoors is prohibited except:
- 1) through a closed piping system;
 - 2) from a safety can;
 - 3) by a device drawing through the top; or
 - 4) by gravity, through an approved self-closing system.

An approved grounding and bonding system must be used when liquids are dispensed from drums.

- k. Without exception, cleaning liquids must have a

flash point at or above 100° F (e.g., Stoddard solvents, kerosene). Cleaning operations must be in an approved parts-cleaner or dip tank, fitted with a fusible link lid with a 160 degree F melting-temperature link.

- l. Staff shall follow MSDS directions:

- 1) when disposing of excess flammable or combustible liquids; or
- 2) after a chemical spill.

8. Toxic and Caustic Substances

- a. All toxic and caustic materials must be stored in secure areas, in their original containers, with the manufacturer’s label intact on each container.
- b. Only authorized staff shall draw/dispense these substances, in accordance with the applicable MSDS.
- c. Staff shall either return unused amounts to the original container(s) or, under certain circumstances, to another suitable, clearly labeled container within the storage area.
- d. MSDS directions shall determine the disposal and spill procedures for toxic and caustic materials used in the facility.

9. Poisonous Substances

Poisonous substances or chemicals (e.g., methyl alcohol, sulfuric acid, muriatic acid, caustic soda or tannic acid, etc.) pose a very high (Class I) caustic hazard due to their toxicity.

Methyl alcohol, variously referred to as wood alcohol and methanol, is commonly found in industrial applications (e.g., shellac thinner, paint solvent, duplicating fluid, solvents for leather cements and dyes, flushing fluid for hydraulic brake systems).

- a. If ingested, methyl alcohol can cause permanent blindness or death.
- b. Staff must directly supervise the use of any product containing methyl alcohol. Products that

contain methyl alcohol in highly diluted amounts (e.g., shoe dye) may be issued to detainees, but only in the smallest workable quantities.

- c. Immediate medical attention is vital any time methyl alcohol poisoning is suspected.

10. Other Toxic Substances

- a. Permanent antifreeze containing ethylene glycol shall be stored in a locked area and dispensed only by authorized staff.
- b. Typewriter cleaner containing carbon tetrachloride or trichloroethane shall be dispensed in small quantities and used under direct staff supervision.
- c. Cleaning fluids containing carbon tetrachloride or trichloroethane shall be strictly controlled.
- d. Glues of every type may contain hazardous chemicals. Toxic glues must be stored in a locked location, for use only by authorized staff. When use of a nontoxic product is not possible, staff must closely supervise all stages of handling.
- e. The use of dyes and cements for leather requires close supervision. Nonflammable types shall be used whenever possible.
- f. Ethyl alcohol, isopropyl alcohol and other antiseptic products shall be stored and used only in the medical department and only under close supervision. To the extent practical, such chemicals shall be diluted and issued in small quantities to prevent any injuries or lethal accumulation.
- g. Pesticides not currently approved by the Environmental Protection Agency, such as DDT and 1080 (sodium fluoroacetate) are prohibited. The maintenance supervisor is responsible for purchasing, storing (in a locked area) and dispensing all pesticides used in the facility.
- h. The maintenance supervisor or other staff members responsible for herbicides must hold a current state

license as a certified private applicator. Persons applying herbicides must wear proper clothing and protective gear.

- i. Lyes may be used only in dye solutions and only under the direct supervision of staff.

11. Labeling of Chemicals, Solvents and Other Hazardous Materials

The facility administrator shall individually assign the following responsibilities associated with the labeling procedure:

- a. identifying the nature of potentially hazardous materials adopted for use;
- b. overseeing the use of properly labeled containers for hazardous materials, including any and all miscellaneous containers into which employees might transfer materials;
- c. instructing staff in the meaning of the classification code and the MSDS, including the safe handling procedures for each material;
- d. working with staff to ensure that containers are properly labeled; and
- e. correctly labeling all smaller containers to correspond to the manufacturer-affixed labels on larger shipping containers.

12. Controlled Hazardous Materials

Certain substances require special treatment and careful planning and precautions before use. These controlled materials are classified according to the type of hazard and the nature of the restrictions imposed for their safe use, as specified in OSHA regulations.

- a. Class I: Industrial Solvents
Industrial solvents and chemicals used as paint thinners, degreasers and cleaning agents may have toxic properties and low flash points, making them dangerous fire hazards.
- b. Class II: Restricted Materials
Beryllium and its alloys and compounds, and

silver solder containing cadmium, pose a danger to workers, for whom special precautions must be taken.

c. Class III: Recognized Carcinogens

OSHA-listed carcinogens are governed by the OSHA regulations provided in 29 CFR 1910.1000.

Although asbestos appears on the OSHA list, it is exempt from the regulation when:

- 1) no asbestos fibers shall be released into the air during handling and use; and
- 2) the asbestos consists of firmly bound fibers contained in a product such as a transit pipe, wallboard, or tile (except when being sawed or otherwise handled in a way that releases fibers into the air).

d. Class IV: Suspected Carcinogenic, Teratogenic and Mutagenic Materials

Chemical agents, substances, mixtures and exposures are listed in the biennial *Report on Carcinogens* issued by the U.S. Public Health Service, in accordance with the Public Health Service Act. The maintenance supervisor shall ensure that the facility has copies of the report and that there is compliance with the provisions of the latest edition.

C. Fire Prevention and Control

1. Fire Safety Codes

Every facility shall comply with standards and regulations issued by:

- a. OSHA;
- b. the American Correctional Association “mandatory” Expected Practices [Mandatory ACA Expected Practice 4-ALDF-1C-07 requires that the facility conform to applicable federal, state and/or local fire safety codes, and that of the authority having jurisdiction over document compliance. A fire alarm and automatic detection system are required (or else there must be a plan

for addressing these or other deficiencies within a reasonable time period), as approved by the authority having jurisdiction. If the authority approves any variance, exceptions or equivalencies, they must not constitute a serious life-safety threat to the occupants of the facility.];

- c. local and national fire safety codes; and
- d. applicable standards of the American Society for Testing and Materials, American National Standards Institute and Underwriters’ Laboratories or Factory Mutual Engineering Corporation.

New construction, alterations and renovations, shall comply with:

- a. the latest revision or update of the International Council Codes;
- b. the Uniform Building Code; or
- c. the Standard Building Code, in accordance with 40 U.S.C. § 619 and local law.

If the local government does not mandate adherence to a particular code, construction must conform to the International Council Codes.

In addition, construction shall comply with the latest edition of the National Fire Protection Association (NFPA)’s 101, Life Safety Code and National Fire Codes (NFCs). If the fire protection and life safety requirements of a local building code differ from NFPA 101 or the NFCs, the requirements of NFPA 101 and the NFCs shall take precedence and be recognized as equivalent to those of the local building code.

2. Inspections

- a. A qualified departmental staff member shall conduct weekly fire and safety inspections.
- b. Facility maintenance (safety) staff shall conduct monthly inspections.
- c. Written reports of the inspections shall be forwarded to the facility administrator for review and, if necessary, corrective action determinations.

The maintenance supervisor shall maintain inspection reports and records of corrective action in the safety office. Fire safety deficiencies shall be promptly addressed.

3. Fire Prevention, Control and Evacuation Plan

Every facility shall develop a written fire prevention, control and evacuation plan that includes the following:

- a. control of ignition sources;
- b. control of combustible and flammable fuel load sources;
- c. provisions for occupant protection from fire and smoke;
- d. inspection, testing and maintenance of fire protection equipment, in accordance with NFPA codes, etc.;
- e. monthly fire inspections;
- f. installation of fire protection equipment throughout the facility, in accordance with NFPA codes;
- g. accessible, current floor plans (including all buildings and rooms); prominently posted evacuation maps/plans; and exit signs and directional arrows for traffic flow, with a copy of each revision filed with the local fire department; and
- h. exit diagrams that shall be conspicuously posted throughout the facility.

4. Fire Drills

Fire drills shall be conducted and documented at least quarterly in all facility locations including administrative areas.

- a. Fire drills in housing units, medical clinics and other areas occupied or staffed during non-working hours shall be timed so that employees on each shift participate in an annual drill.
- b. Detainees shall be evacuated during fire drills,

except:

- 1) in areas where security would be jeopardized;
- 2) in medical areas where patient health could be jeopardized; or
- 3) in individual cases when the evacuation of patients or detainees is logistically not feasible.

Staff shall simulate drills in areas where detainees are not evacuated.

- c. Emergency-key drills shall be included in each fire drill, and timed. Emergency keys shall be drawn and used by the appropriate staff to unlock one set of emergency exit doors not in daily use. NFPA recommends a limit of four and one-half minutes for drawing keys and unlocking emergency doors. However, when conducting fire drills, emphasis shall be placed on safe and orderly evacuation rather than speed.

5. Exit Diagram

In addition to a general area diagram, the following information must be provided on signs:

- a. instructions in English, Spanish and the next most prevalent language at the facility;
- b. "You are here" markers on exit maps; and
- c. emergency equipment locations.

"Areas of Safe Refuge" shall be identified and explained on diagrams. Diagram posting shall be in accordance with applicable fire safety regulations of the jurisdiction.

D. Medical Operation

The medical department will develop and implement an exposure control plan for the medical clinic that addresses the management of potentially sharp objects (sharps), standard and transmission-based precautions, post-exposure prophylaxis and management, bloodborne pathogens and other potentially infectious materials, disposal of medical and hazardous waste, and cleaning and disinfection.

Only sharps and medical waste generated within the medical department or by medical staff shall be managed in accordance with the medical department's exposure control plan.

1. Needles and Other Sharp Objects

A mandatory, uniform procedure shall be established for the safe handling and disposal of used needles and other sharps to prevent both mechanical injury and the percutaneous transmission of infectious disease organisms, such as the hepatitis B virus (HBV) and human immunodeficiency virus (HIV). Sharps are defined as all disposable or discarded items derived from detainee care that could potentially transmit disease via direct subdermal inoculation. Items included are: hypodermic needles and syringes, scalpel blades, glass vials or ampules containing materials deemed to be infectious, burrs, glass cartridges and lancets.

Accidental injuries from sharp objects are common in health care programs; most are from needle sticks caused by staff attempting to recap hypodermic needles. A uniform procedure for used needles and other disposable sharps is necessary to reduce the number of such injuries by preventing the secondary handling of needles and other dangerous sharp objects used in the delivery of medical care.

2. Standard Precautions (includes "Universal Precautions")

Staff shall frequently wash their hands and take additional routine precautions to prevent contact with blood or other body fluids.

- a. Gloves shall be worn: prior to touching blood and body fluids, mucous membranes, or non intact skin of all patients; prior to handling items or surfaces soiled with blood or body fluids; and prior to performing venipuncture and other vascular access procedures.
- b. Gloves shall be changed after contact with each detainee.
- c. Masks and protective eyewear or face shields shall

be worn during procedures that are likely to generate droplets of blood or other body fluids.

- d. Gowns and/or aprons shall be worn during procedures that are likely to generate splashes of blood or other body fluids.
- e. Hands and other skin surfaces shall be washed immediately and thoroughly if contaminated with blood or other body fluids. Hands shall be washed immediately after gloves are removed.
- f. All health-care workers shall take precautions to prevent injuries caused by needles, scalpels and other sharp instruments or devices during procedures, especially at the following times: when cleaning used instruments, during disposal of used needles and when handling sharp instruments after procedures. Instruments and drugs shall be maintained in a secure and sanitary condition.
- g. To prevent needle-stick injuries, needles shall not be recapped, purposely bent or broken, removed from disposable syringes, or otherwise manipulated by hand. After use, disposable syringes and needles, scalpel blades and other sharp items shall be placed in puncture-resistant containers for disposal.
- h. Large-bore reusable needles shall be placed in a puncture-resistant container for transport to the reprocessing area.
- i. To minimize the need for emergency mouth-to-mouth resuscitation, mouthpieces, resuscitation bags or other ventilation devices shall be available for use in areas in which the need for resuscitation is foreseeable.
- j. Health-care workers who have exudative lesions or weeping dermatitis shall refrain from all direct patient care and from handling patient care equipment until the condition resolves.
- k. Pregnant health-care workers shall strictly adhere to precautions to minimize the risk to the fetus of perinatal transmission of HIV.

1. Isolation precautions shall be used as necessary if associated conditions, such as infectious diarrhea or tuberculosis, are diagnosed or suspected. Implementation of standard blood and body fluid precautions for all detainees eliminates the need for the use of the isolation category of “blood and body fluid precautions” previously recommended by the Centers for Disease Control for individuals known or suspected to be infected with blood-borne pathogens.

Staff shall encourage detainees to wash their hands frequently and to take additional routine precautions to prevent contact with blood or other body fluids.

3. Accidental Needle Sticks

Any employee or detainee who receives a needle stick or who is cut while handling potentially contaminated sharps shall be counseled regarding baseline testing for HBV and HIV, and referred to his/her usual source of health care. If the injury also involves a person who is a known source of possible infection, that person shall also be tested for HBV and HIV. The incident shall be reported as an occupational injury and documented in accordance with applicable regulations for commissioned officers and civil service employees, respectively.

The leading health service provider’s exposure-control plan shall be followed in the event of a needle stick.

4. Inventory

Items that pose a security risk, such as sharp instruments, syringes, needles and scissors, shall be inventoried and checked weekly by an individual designated by the medical facility’s Health Service Administrator (HSA) or equivalent.

5. Handling

Without removing the needles or replacing the needle covers, staff shall place used (disposable) syringes in a plastic disposal box or container.

- a. Disposal Containers

- 1) Use only commercially available, biohazardous-waste sharps containers approved by the National Institute of Safety and Health (e.g., a “Winfield Sharps Container”).
- 2) Do not use milk cartons or plastic milk jugs or other plastic containers of similar thickness.
- 3) Use containers with a two-gallon capacity (approximate).
- 4) Under no circumstances shall an item be removed from the Winfield Sharps Container (Sharps Container).

- b. Location

Sharps Containers shall be located on top of counters or, if on the wall, at least five feet above ground. Sharps Containers shall never sit on the floor.

- c. Disposal

When the disposal box is one-half to two-thirds full, the lid shall be closed and locked, and tape shall be placed over the top of the lid to indicate that it is ready for disposal. The Sharps Container shall be labeled with the words “infectious waste” or with the universal biohazard symbol, and placed in the proper area for removal and disposal.

Sharps are considered infectious waste, and final disposal of the Sharps Container and contents shall be through a commercial contractor that handles disposal of infectious waste in accordance with all local and federal regulations.

The HSA shall make arrangements for disposal with an approved contractor and is responsible for validating that the contractor’s disposal methods are in accordance with all infectious and hazardous waste disposal laws and regulations. Arrangements shall be made with local hospitals, when possible, for disposal with the hospitals’ own infectious waste.

6. Environmental Health in Medical Operations

While many of the following considerations,

precautions and specific procedures apply to situations that typically arise in medical operations, in many cases they have general application to all facility operations.

a. General Housekeeping

Environmental cleanliness shall reduce, control and prevent nosocomial infections due to contaminated environmental surfaces. The HSA or designee is responsible for ensuring the cleanliness of the medical facility.

Using an acceptable health agency standard as a model, the HSA shall establish:

- 1) the cleaning equipment, cleansers, disinfectants and detergents to be used;
- 2) the methods of cleaning; and
- 3) the frequency of cleaning and inspections.

The HSA or designee shall make a daily visual inspection of the medical facility, noting the condition of floors, walls, windows, horizontal surfaces and equipment.

All surfaces touched by detainees or staff shall be cleaned using fresh solutions of appropriate disinfectant products, applied with clean cloths, mops or wipes. Cleaned surfaces need not be monitored microbiologically since the results of such tests have been shown not to correlate with infection risk. Floors, walls, beds, tables and other surfaces that usually come in contact with intact skin require low-level disinfection

Horizontal surfaces in detainee care areas are cleaned on a regular basis, when soiling or spills occur. Additionally, short-stay units are cleaned when a detainee is discharged. Cleaning of walls, blinds or curtains is required only when visibly soiled.

The Chief Nurse (or equivalent) is responsible for training all staff and detainees in using proper housekeeping procedures and proper handling of hazardous materials and chemicals.

1) General Cleaning

- a) All horizontal surfaces shall be damp dusted daily with an approved germicidal solution.
- b) Windows, window frames and windowsills shall be cleaned on a regular schedule, but do not require daily cleaning.
- c) Furniture and fixtures shall be cleaned daily.
- d) Floors shall be mopped daily and when soiled using the double bucket mopping technique. The cleaning solution shall be a hospital disinfectant-detergent solution mixed according to the manufacturer's directions. A clean mop head shall be used each time the floors are mopped.
- e) Waste containers shall be lined with plastic bags and the liner shall be changed daily. The container itself shall be washed at least weekly, or as needed when it becomes soiled.
- f) Cubicle curtains shall be laundered monthly or during terminal cleaning following treatment of an infectious patient.

2) Isolation Cleaning

- a) An approved germicidal detergent solution shall be freshly prepared in accordance with the manufacturer's specifications for each cleaning.
- b) After cleaning the isolation room, mops and cleaning cloths shall be laundered before being reused.
- c) Dirty water and used disinfecting solutions shall be discarded and the buckets and basins disinfected before being refilled. Items used in cleaning a contaminated isolation room shall never be taken into another area.
- d) Linens shall be carefully removed from the

bed and double-bagged for transport.

- e) All waste materials shall be double-bagged and disposed of as contaminated waste.

3) Terminal Cleaning

- a) Every item in the room must be cleaned with an approved hospital germicidal solution.
- b) When applicable, linen shall be stripped from the bed, with care taken not to shake the linen. Linen shall be folded away from the person and folded inward into a bundle, then removed with minimal agitation.
- c) When applicable, all reusable receptacles (e.g., drainage bottles, urinals, bedpans, water pitchers) shall be emptied and rinsed with germicidal solutions.
- d) All equipment that is not to be discarded (e.g., IV poles, respirators, suction machines) shall be washed with an approved germicidal solution following manufacturer's guidelines for cleaning the specific piece of equipment.
- e) When applicable, mattresses and pillows covered with durable plastic covers shall be washed thoroughly with the approved germicidal solution.
- f) When applicable, beds shall be washed thoroughly, using a small brush soaked in germicidal solution to gain access to small holes and crevices, to areas between the springs and to the casters.
- g) All furniture shall be washed with a germicidal detergent solution. Use a small brush if necessary. Outside and underside as well as legs and casters must also be washed.
- h) Wastebaskets shall be thoroughly washed with a germicidal solution after trash and liner have been removed.

- i) Telephones shall be thoroughly cleaned with a clean cloth soaked in the germicidal solution. The earpiece and mouthpiece shall be unscrewed, scrubbed, dried and replaced.

- j) Walls and ceilings need not be washed entirely, but areas that are soiled shall be washed with germicidal solution.

4) Choice of Disinfecting Materials

Hospital-grade disinfectant detergent formulations registered by the Environmental Protection Agency (EPA) may be used for environmental surface cleaning, but the physical removal of microorganisms by scrubbing is as imperative as any antimicrobial effect of the cleaning agent used.

Cost, safety and acceptance by staff shall be the criteria for selecting any such registered agent. The manufacturer's instructions for use shall be followed exactly.

b. Blood and Body Fluid Clean-up

Spills of blood and body fluids shall be cleaned up and the surface decontaminated in such a manner as to minimize the possibility of workers becoming exposed to infectious organisms, including HIV and HBV. A suitable cleanup kit shall be maintained for use in cases of spills of blood and body fluids. Cleanup kits may be obtained from commercial sources, or may be compiled by Health Services Department (HSD) staff or the designated health care provider.

1) Compiling a Cleanup Kit

To prepare a cleanup kit for blood and body fluid spills, package the following materials in a 12" x 15" clear zip-lock bag:

- a) gloves, rubber or vinyl, household-type (2 pair);
- b) clean absorbent rags (4);
- c) absorbent paper towels (15);

- d) disposable bag marked “contaminated” size 23”x10”x39”, minimum thickness 1.5 mils.;
- e) Clear plastic bag 13”x10”x39”, minimum thickness 1.5 mils.; and
- f) Bottle of “hospital disinfectant” (containing quaternary ammonium chlorides in at least 0.8% dilution), or a bottle of household bleach such as “Clorox” or “Purex” (5.25% sodium hypochlorite).

2) Selection of Disinfectants

Dilute solutions of sodium hypochlorite are reported extremely effective against both HIV and the Hepatitis B virus and therefore have been recommended for use in environmental decontamination procedures. Quaternary ammonium compounds are less effective against Hepatitis B. Chlorine in solution inactivates viruses quickly and efficiently, but must reach the virus particles to do so.

Proteinaceous materials may interfere with the ability of the appropriate disinfectant solution to reach the virus particles. Since quaternary disinfecting compounds may act as a detergent as well as a disinfectant, these compounds may be used for cleaning and removal of proteinaceous materials from surfaces. However, when using such a compound to clean a surface, it shall be necessary to follow with the use of chlorine solution for final disinfection.

Most blood or fluids shall be removed from the surface during routine medical cleaning procedures before application of the disinfectant; in such cases, use of sodium hypochlorite solution shall be sufficient.

3) Selection of Gloves

Household or industrial rubber gloves are recommended for use rather than surgical rubber gloves, as surgical gloves are somewhat

porous and are less resistant to mechanical damage and punctures during clean-up procedures.

4) Assignment of Cleaning Duties to Detainees in Medical Facilities

Detainee workers may be assigned duties cleaning the medical facility. Detainees are permitted to clean floors and walls and to remove trash, but are not permitted to clean medical equipment.

5) Instructions for Use of Clean-Up Kit

- a) Open the bag and remove the supplies.
- b) Put on one pair of gloves.
- c) Depending on the type of disinfectant in the kit, take out bottle of “hospital disinfectant,” or prepare a dilute solution of sodium hypochlorite. To prepare a 1:10 dilution of 5.25% sodium hypochlorite, mix 1 part of 5.25% sodium hypochlorite (common household bleach) with 10 parts water.
- d) Open the large clear plastic bag and the large bag marked “contaminated.” Place them next to each other.
- e) Use paper towels to absorb as much of the spilled fluid as possible; then place soiled paper towels in the large clear plastic bag.
- f) Pour the solution carefully onto the spill area. Dispose of the empty bottle in the large, clear plastic bag. Leave disinfectant in place for 15 minutes.
- g) Use the rags to clean the area, and place rags in the large clear plastic bag.
- h) Tie off the clear plastic bag and place it inside the large plastic bag marked “Contaminated.”
- i) Remove gloves carefully and place them in the plastic bag marked “Contaminated.”

j) Put on the second pair of gloves and tie the “Contaminated” trash bag closed.

k) Properly dispose of the “Contaminated” trash bag in a contaminated-waste receptacle.

l) Properly dispose of the second pair of gloves in the contaminated-waste receptacle.

m) Wash your hands.

n) Prepare a new clean-up kit.

NOTE: Do not place linen or non-disposable articles in the “Contaminated” trash bag.

- c. Hazardous and Infectious Waste Disposal
Infectious and hazardous waste generated at a medical facility shall be stored and disposed of safely and in accordance with all applicable federal and state regulations.

For identified wastes that represent sufficient risk of causing infection or injury during handling and disposal, the following precautions shall be applied.

1) Definitions

Hazardous or infectious waste is defined as: microbiology laboratory waste; human blood and blood products; sharps; laboratory and other chemicals; or certain drugs such as antineoplastic.

Miscellaneous biomedical waste is defined as waste materials that are not specifically defined as infectious waste. Such waste includes bandages, dressings, casts, catheters and disposable pads.

Waste from detainees in isolation is not considered to be infectious waste unless it falls within the specific definition of infectious waste as stated above.

2) Collection and Storage

Infectious waste must be separated from the

general waste stream and clearly labeled as infectious, adhering to the following practices:

- a) Infectious waste shall be double-bagged and tied and labeled “Infectious Waste.”
- b) The bags used must be impermeable, commercially supplied red bags intended specifically for biohazardous waste storage.
- c) Miscellaneous biomedical waste shall be double-bagged and tied but need not be labeled as infectious.

3) Treatment and Disposal

Blood products and designated body fluids shall be poured slowly and carefully down a toilet to prevent splash. Compacting of untreated infectious waste is prohibited. The waste disposal contractor must meet all state and local requirements for transportation and disposal.

E. Barber Operations

Sanitation in barber operations is imperative because of the possible transfer of diseases through direct contact or by towels, combs and clippers. Towels shall not be reused by other detainees until sanitized. Instruments such as combs and clippers shall not be used successively on detainees without proper cleaning and disinfecting.

1. For sanitation reasons, it is preferable that barbering operations be located in a room that is not used for any other purpose. The room must have sufficient light, and be supplied with hot and cold running water. The floors, walls and ceilings shall be smooth, nonabsorbent and easily cleaned.
2. Each barbershop shall have all equipment and facilities necessary for maintaining sanitary procedures for hair care, including covered metal containers for waste, disinfectants, dispensable headrest covers, laundered towels and haircloths.
3. After each detainee visit, all hair care tools that

came in contact with the detainee shall be cleaned and effectively disinfected. Ultraviolet lights are not appropriate for sterilization but may be used for maintaining tools that have already been properly sterilized.

4. Detailed hair care sanitation regulations shall be conspicuously posted in each barbershop for the use of all hair care personnel and detainees. Cotton pads, absorbent cotton and other single or dispensable toilet articles may not be reused, and shall be placed in a proper waste receptacle

immediately after use. The common use of brushes, neck dusters, shaving mugs and shaving brushes is prohibited.

5. Barbers or beauticians shall not provide service to any detainee when the skin of the detainee's face, neck or scalp is inflamed, or when there is scaling, pus or other skin eruptions, unless service of such detainee is performed in accordance with the specific authorization of the chief medical officer. No person who is infested with head lice shall be served.

EXHIBIT 7



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AG Ferguson sues operator of the Northwest Detention Center for wage violations

FOR IMMEDIATE RELEASE:

Sep 20 2017

Multi-billion dollar company pays detainees in snacks or \$1 per day for labor

TACOMA — Attorney General Bob Ferguson today announced a lawsuit against The GEO Group, Inc. (GEO), the second-largest private prison provider in the country, for not paying its workers the minimum wage, netting the company millions in ill-gotten profits. The state's lawsuit asks the court to order the company to give up these profits.

GEO uses immigration detainee labor to perform virtually all non-security functions at Tacoma's Northwest Detention Center (NWDC), the only private detention facility in the state. Since at least 2005, GEO has paid thousands of detainee workers \$1 per day or, in some instances, snacks and extra food for labor that is necessary to keep NWDC operational. Washington's minimum wage is \$11 per hour.

"A multi-billion dollar corporation is trying to get away with paying its workers \$1 per day," Ferguson said. "That shouldn't happen in America, and I will not tolerate it happening in Washington. For-profit companies cannot exploit Washington workers."

"The bottom line is that a fair wage should be paid for a day of work," said Joel Sacks, director of the state Department of Labor and Industries, which regulates wage standards in Washington state

The lawsuit, filed today in Pierce County Superior Court, is believed to be the first of its kind brought by a state Attorney General. The state has two claims against GEO.

First, the lawsuit accuses GEO of violating Washington's minimum wage laws. These laws are broadly written and meant to protect as many workers as possible. RCW 49.46.010(k) exempts the following from protections from Washington's minimum wage laws: "Any resident, inmate, or patient of a state, county, or municipal correctional, detention, treatment or rehabilitative institution."

There are no exceptions for private, for-profit facilities like NWDC. In contrast with a jail or prison, which house people involved in the criminal justice system and are operated by state or local governments, detainees at NWDC are held in a private, for-profit facility pending civil immigration proceedings.

Second, Ferguson also argues that GEO unjustly enriched itself, meaning it profited by its illegal actions exploiting its workers.

NWDC has the capacity to house up to 1,575 immigrant detainees. Detainees perform most of the work necessary to run the facility except guarding detainees. This includes preparing and serving food, running the laundry services, performing facility maintenance, and cleaning common areas and restrooms. Detainees report that the general practice is that guards ask for detainee “volunteers” for work. If no one volunteers for certain work, guards will sometimes pick detainees to perform the work.

AGO investigators heard many stories from detainees about their concerns regarding work at NWDC. Detainees described working through the night buffing floors and painting walls in exchange for chips and candy. Detainees told investigators that if an officer asks a detainee to work on a special project later than the planned end of the shift, detainees are allowed to stop working but may not receive any pay for their work.

Detainees also reported that for some work, GEO does not provide appropriate working gear and that has caused detainees physical pain and discomfort. Detainees’ concerns about being paid \$1 per day or being paid in snack food is one of several concerns that detainees raised during multiple hunger strikes in the past year.

Northwest Detention Center and GEO Group

Located on Tacoma's Tideflats, Northwest Detention Center is the fourth-largest immigration detention center in the country. People are held at the facility while undergoing immigration proceedings, potentially facing deportation.

GEO has operated the facility for Immigrations and Customs Enforcement (ICE) since 2005. The Florida-based company has been in partnership with ICE since the 1980s, and in 2015, ICE renewed GEO's contract for NWDC through 2025. At the time the contract was renewed, GEO projected NWDC would bring in \$57 million in revenue every year at full capacity.

NWDC is one of 141 correctional and detention facilities operated by the company, which saw revenues exceeding \$2 billion in 2016.

GEO has faced a variety of lawsuits, including a class action suit by current and former detainees at a Colorado facility alleging forced labor.

NWDC has faced its own controversies, including multiple hunger strikes by detainees over living conditions, access to medical care, and other problems at the facility. As many as 750 detainees reportedly participated in one hunger strike earlier this year.

Relief and next steps

Ferguson's lawsuit asks the court to order GEO to comply with Washington's minimum wage laws. The lawsuit also asks the court to order GEO to pay the state its costs and fees from bringing the lawsuit, and to give up the profits it made by underpaying its employees over many years. The exact amount will be determined as the lawsuit progresses, but is expected to be in the millions.

If the court grants this request, the Attorney General's Office will likely ask the court to place any monetary award into a constructive trust or cy pres fund. This fund would be dedicated to supporting people detained in NWDC, as well as job seekers in the community surrounding the detention center who may have lost employment opportunities because of GEO's practices.

The defendant will have 20 days from the date they are served to respond to the state's complaint.

Assistant Attorneys General La Rond Baker and Marsha Chien are leading the case for the Attorney General's Office.

A Spanish language version of this release is available [here](#).

-30-

The Office of the Attorney General is the chief legal office for the state of Washington with attorneys and staff in 27 divisions across the state providing legal services to roughly 200 state agencies, boards and commissions. Visit www.atg.wa.gov to learn more.

Contacts:

Brionna Aho, Interim Communications Director, (360) 753-2727; brionna.aho@atg.wa.gov

EXHIBIT 8

From: Bob Ferguson <tyler@electbobferguson.com>
Subject: Join me for an Evening Reception in Tacoma
Date: September 20, 2017 at 4:05:23 PM PDT
To: joan@3brancheslaw.com

ELECT

**Bob
Ferguson**

ATTORNEY GENERAL • DEMOCRAT

Hi Joan,

It has been an eventful 10 months since the 2016 election. I am proud to have successfully blocked President Trump's unconstitutional and un-American travel ban. My office stood up for civil rights when I successfully argued before the State Supreme Court that businesses cannot discriminate against their LGBT customers. And my team won the largest campaign finance penalty-- \$18 million-- in the nation's history.

We've made immense strides together to combat discrimination, uphold Washington's values, and protect Washingtonians from powerful interests that don't play by the rules – but I need your help to continue to stand up for what is right.

Now that the Legislature is no longer in session, I can raise money for my re-election campaign. Because the sessions went so long, we have some catching up to do! Please join me in Tacoma for an evening reception in support of my campaign. Here are the details:

Thursday, October 14th | 4:30pm – 6:00pm

At the home of Bill & Kris Johnston

705 North J St., Tacoma, WA

We hope that you will consider making a contribution to the campaign at the **\$50, \$100, \$250, \$500 or \$1000+** level.

To RSVP or for more information, please contact me at [206-328-2969](tel:206-328-2969) or tyler@electbobferguson.com. To make a contribution please click [here](#).

Thank you so much for the support!

Best,

A large, bold, handwritten signature in black ink, appearing to read "Bob". The signature is stylized with thick strokes and a cursive-like flow.

Please join Attorney General

Bob Ferguson

For an evening reception

Saturday, October 14th | 4:30PM — 6:00PM

At the home of Bill & Kris Johnston

705 N J St., Tacoma, WA

Guest \$50 | Supporter \$100 | Friend \$250

Sponsor \$500 | Co-Host \$1000

Please RSVP to Tyler at (206) 328-2969 or

tyler@electbobferguson.com

**Paid for by Friends of Bob Ferguson (D)
PO Box 2405, Seattle WA 98111**

*Friends of Bob Ferguson does not accept contributions from corporate PACs, large corporations,
or entities under investigation by the Attorney General's Office.*

Friends of Bob Ferguson does not accept contributions from corporate PACs, large corporations, or entities under investigation by the Washington State Attorney General's Office. They will be returned.

Please join Attorney General

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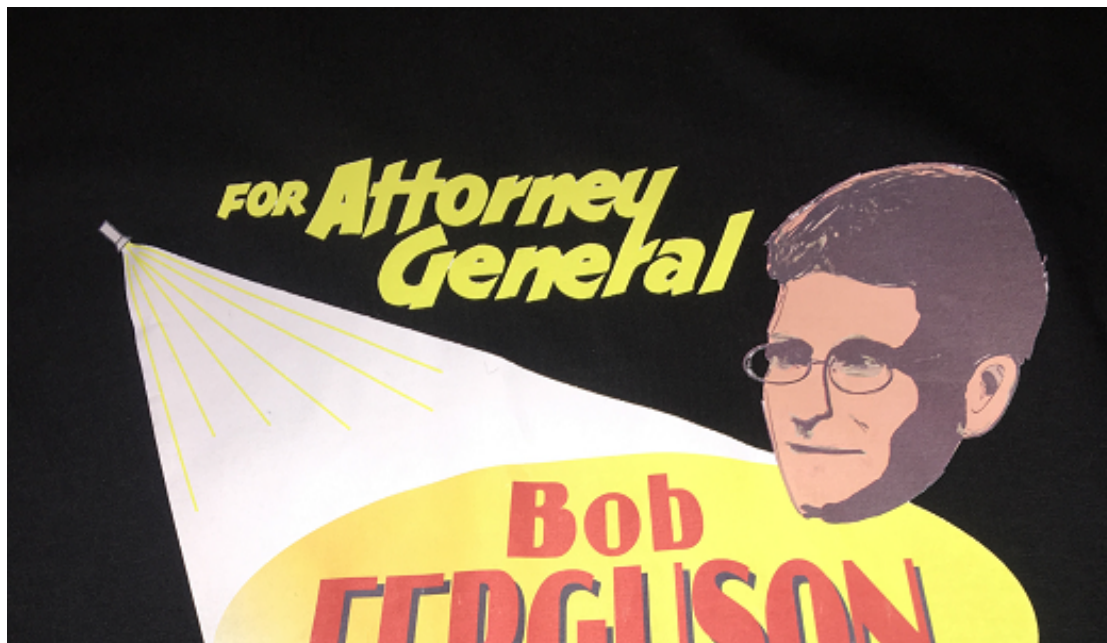
From: Bob Ferguson <info@electbobferguson.com>
Date: September 24, 2017 at 8:03:18 AM PDT
To: Joan Mell <joan@3brancheslaw.com>
Subject: Check it out! Bob Ferguson T-shirts 🍺



Joan, for every monthly recurring contribution made, I will send you my vintage-style "shining a light on dark money" Bob Ferguson T-shirt! [Chip in \\$5 a month now for your Bob Ferguson T-shirt!](#)

This T-shirt design is inspired by the campaign stylings of former Pierce County Prosecuting Attorney and Washington Attorney General John O'Connell. I share O'Connell's mission of spotlighting corporate fraud, dark money, and corruption.

I'm fighting every day against powerful special interests that refuse to play by the rules. And given the choice, I pick you for my team every single day over those special interests.





Show the powerful interests that you have my back: [chip in \\$5 a month now for a Bob Ferguson T-shirt!](#)

Bob

Stand with Bob Ferguson
DONATE NOW

Paid for and authorized by Friends of Bob Ferguson.

This email was sent by [Friends of Bob Ferguson](#)
PO Box 2405, Seattle, WA 98111.



Email is an important way for Bob Ferguson to keep supporters like you informed about critical issues and to build a winning grassroots campaign. If you no longer want to hear from Bob Ferguson [click here to get off all our lists instantly](#). Questions or concerns? [Contact us here](#).

Entities and individuals under investigation by the Washington Attorney General's Office are asked not to make campaign contributions to Friends of Bob Ferguson. They will be returned.

From: Washington State Attorney General's Office webmaster@atg.wa.gov
Subject: The Ferguson File - September 2017
Date: October 2, 2017 at 2:25 PM
To: joan@3brancheslaw.com

WS

AG Bob Ferguson's monthly eNewsletter

[View this email in your browser](#)



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Welcome from Attorney General Bob Ferguson



Dear Friends,

Companies are free to pursue profit, but their actions must be lawful.

If companies exploit workers or lie to consumers about their products to increase profits, they are responsible for the consequences. I will continue to fight illegal actions made by powerful interests and hold them responsible for the damaging effects they have on Washington patients, consumers and residents. I will continue to fight for hardworking Washingtonians who lack the resources to hire a high-priced law firm to advocate on their behalf.

In addition, I will continue to stand up for Dreamers and fight back against President Trump's cruel order ending DACA. I am pleased to have many Washington businesses standing with me in this fight.

In this issue:

- [\\$41 million back to consumers in LCD collusion case](#)
- [Fighting to keep Dreamers here to stay](#)
- [Detention Center operator can't run its facility on bags of chips](#)
- [St. Joseph's strays from its mission, neglects vulnerable patients](#)

- [Purdue Pharma's solution to potential opioid addiction: prescribe more](#)

Thank you for following the work of the Attorney General's Office.

Bob

Bob Ferguson

Washington State Attorney General



\$41 million back to consumers in LCD

collusion case

As Attorney General, I hold powerful interests that don't play by the rules accountable. Thanks to my office's work, more than 24,000 consumers and businesses who bought devices and appliances with LCD flat screens will find a check in their mailboxes over the next couple weeks. Consumers in all 39 Washington counties will receive checks.

In 2015, [I recovered tens of millions](#) in a case against eight LCD manufacturers, including Samsung and Sharp. The case returns money to Washington consumers that they lost due to eight years of price fixing by multinational corporations. Consumers who filed claims with my office will receive their portion of the [\\$41 million](#)

[in consumer recoveries.](#)

KIRO 7 News – Jesse Jones

[Checks to go out in State's LCD Settlement](#)

The Chronicle

[Washington Consumers to Get \\$4.1 Million in LCD Price-Fixing Case](#)



Fighting to keep Dreamers here to stay

Nearly 18,000 Dreamers that live in Washington have contributed to our state's diversity and economy since Deferred Action for Childhood Arrivals (DACA) began. In early September, President Trump decided to end the policy and put the lives of hundreds of thousands of young people across the country in jeopardy, exposing them to deportation. On Sept. 6, I [filed a lawsuit](#) to halt the President's decision to end this important program.

My lawsuit argues that the President once again was motivated by discriminatory animus, violating the Constitution. I also allege that the action violates DACA recipients' Due Process Rights, as they were promised that the information they provided to the federal government cannot be used against them.

My office already went to federal court for the [first hearing in the DACA case](#) on Sept. 26 and we will again defend the policy in court on Jan. 18, 2018. I want

Sept. 20, and we will again defend the policy in court on Jan. 10, 2018. I want Washington's Dreamers to know that I will do everything in my power to protect them from this illegal action.

Crosscut

[If Dreamers were white: Why Washington is suing over DACA](#)

The News Tribune

[Washington state sues Trump over plan to end 'Dreamer' protections for young immigrants](#)

NPR

[States Sue To Block DACA Termination, Citing Trump's 'Racial Animus'](#)



Detention Center operator can't run its facility on bags of chips

GEO Group, Inc. (GEO) operates the Northwest Detention Center as a for-profit, private company. It is the only for-profit detention facility in the state. Washington state law has a very specific exemption under minimum wage laws for incarcerated individuals in publicly run, local, county, or state institutions. GEO does not fit into that category, and its detainees do not fall under that exemption, because they are not prisoners.

This means that GEO cannot maintain its facility through the work of detainees, who are paid \$1 per day or sometimes in snacks. GEO's illegal actions have saved them millions of dollars that should have gone to detainees or community members.

...ments of detainees that would have gone to detainees or community members searching for work. The practice must stop, which is why I filed a [lawsuit against GEO](#). If GEO wants to continue to treat detainees as workers, it needs to pay them the minimum wage. A dollar a day or a bag of chips simply will not suffice.

The Stranger

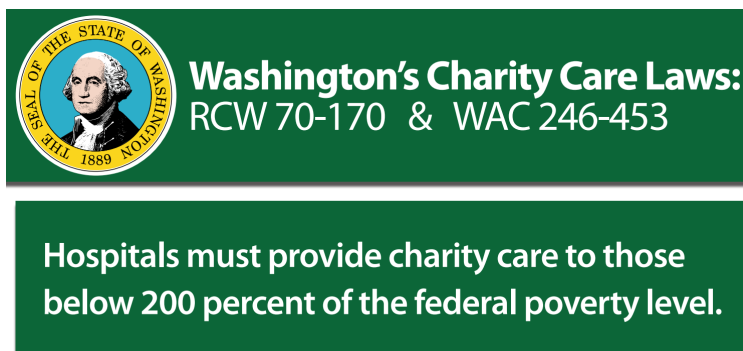
[WA Attorney General Sues Private Prison Company Over \\$1 Per Day Wages at Immigrant Jail](#)

Seattle Weekly

[Ferguson Sues Northwest Detention Center Operator Over \\$1-a-Day Wages](#)

The Olympian

[State sues Tacoma's Northwest Detention Center for paying immigrant detainees \\$1 a day](#)



St. Joseph's strays from its mission, neglects vulnerable patients

Every hospital in Washington state must provide charity care. There are rules that go with that requirement, such as advising patients of the program's existence, automatically screening patients for their eligibility and requiring only one income-related document in the application process. St. Joseph's Medical Center in Tacoma [violated all of those requirements](#). The hospital's practices forced one man to question his ability to receive heart surgery and unlawfully sent one of its own employee's bills to a debt collector.

You may think that a nonprofit hospital like St. Joseph's had simply made a mistake, but that was not the case. My lawsuit alleges that top executives at the hospital not only knew about the issues, but trained personnel to aggressively seek payment –

even when it was obvious that patients were homeless.

Weeks later, I also filed a lawsuit against for-profit hospital [Capital Medical Center](#) for the same egregious conduct. I will continue to be a watchdog for those in need of affordable health care.

The News Tribune

[State sues Tacoma's St. Joseph Medical Center, saying it illegally withheld charity care](#)

The Seattle Times

[Washington attorney general sues Tacoma hospital, saying it withheld charity care](#)

The Olympian

[State sues Capital Medical Center, alleging it denied charity care](#)



Purdue Pharma's solution to potential opioid addiction: prescribe more

In 2015, opioid overdoses claimed more Washington lives than car crashes. In 2011, at the peak of overall sales in Washington, more than 112 million daily doses of all prescription opioids were dispensed in the state — enough for a 16-day supply for every woman, man and child in Washington.

This month, [I sued Purdue Pharma](#) for deceiving doctors and patients and misrepresenting the risks of its drugs. For example, Purdue persuaded doctors that

signs of addiction were actually under-treatment of pain, convincing them to prescribe higher opioid dosages for their patients without any evidence that long-term prescriptions were safe or effective.

I believe Purdue Pharma should be held accountable for its role in the opioid epidemic. I don't know how Purdue executives sleep at night, knowing they have brought pain and suffering to thousands of Washington families and communities.

The Seattle Times

[Washington state AG Bob Ferguson, Seattle sue OxyContin maker over opioid deaths](#)

SeattlePI

[City of Seattle, Washington state sue 'Big Pharma' over opioids](#)

The Stranger

[State AG, City Attorney Announce Lawsuits Against OxyContin Manufacturer](#)

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